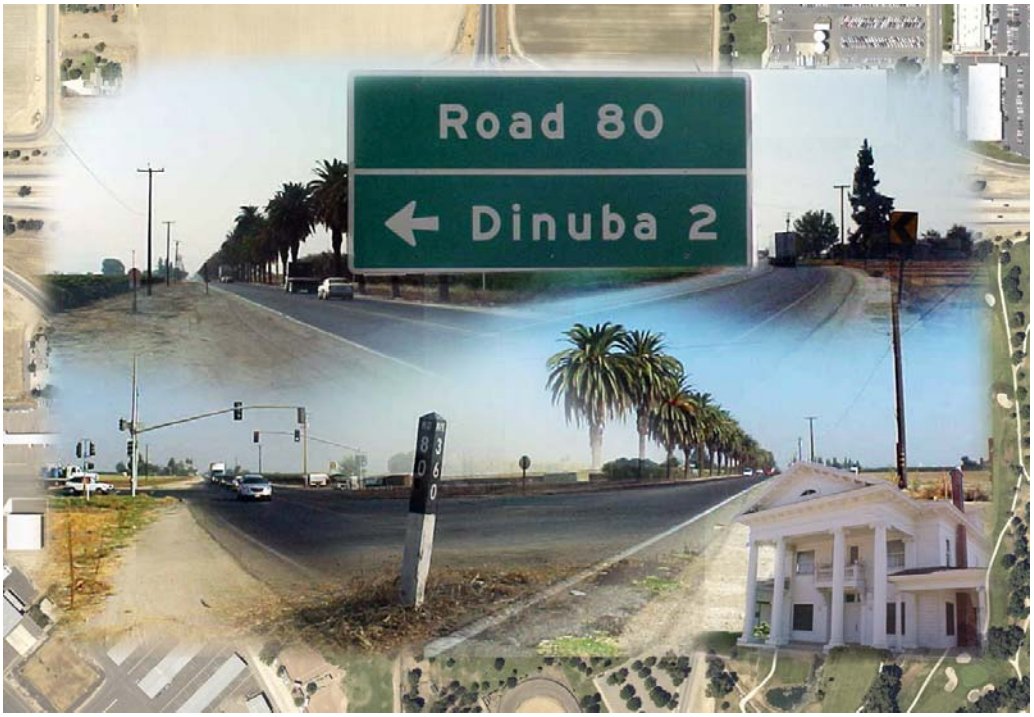
Road 80 Widening Project

Tulare County, California
From Avenue 416 to Airport Road
RSTPL-5946 (021)

Initial Study with a Mitigated Negative Declaration/
Environmental Assessment
with Finding of No Significant Impact



Prepared by the
U.S. Department of Transportation
Federal Highway Administration
and the
County of Tulare

October 2006

General Information About This Document

What's in this document?

This document contains a Mitigated Negative Declaration and Finding of No Significant Impact, which examine the environmental effects of the proposed project on Road 80 in the cities of Dinuba and Visalia, and the County of Tulare.

The Initial Study/Environmental Assessment and Proposed Mitigated Negative Declaration were circulated to the public from May 26, 2006 to June 26, 2006. Responses to the circulated document are shown in the Comments and Responses section of this document. Throughout this document, a line in the margin indicates changes from the draft document.

What happens after this?

The proposed project has completed environmental compliance after the circulation of this document. When funding is approved, the County of Tulare, the California Department of Transportation, and the Federal Highway Administration can design and construct all or part of the project.

SCH# 2000061040
06-TUL-RD 80
RSTPL-5946 (021)

Widen 16 miles of Road 80 beginning at Avenue 416 in the City of Dinuba and continuing through an unincorporated area of Tulare County and ending at Airport Drive in the City of Visalia

INITIAL STUDY
with Proposed Mitigated Negative Declaration /ENVIRONMENTAL ASSESSMENT

Submitted Pursuant to: (State) Division 13, California Public Resources Code
(Federal) 42 United States Code 4332(2)(C)

U.S. DEPARTMENT OF TRANSPORTATION
Federal Highway Administration

THE STATE OF CALIFORNIA
Department of Transportation

The County of Tulare

4/6/06
Date of Approval

George Finney
Environmental Assessment Officer
County of Tulare

4/10/2006
Date of Approval

for Gene K. Fong
Division Administrator
Federal Highway Administration

FEDERAL HIGHWAY ADMINISTRATION
FINDING OF NO SIGNIFICANT IMPACT
FOR
Road 80 Widening Project
From Avenue 416 to Airport Road
Tulare County, California

The Federal Highway Administration (FHWA) has determined that this project will not have any significant impact on the human environment. This finding of no significant impact is based on the attached Environmental Assessment, which has been independently evaluated by the FHWA and determined to adequately and accurately discuss the environmental issues and impacts of the proposed project. It provides sufficient evidence and analysis for determining that an environmental impact statement is not required. The FHWA takes full responsibility for the accuracy, scope, and content of the environmental assessment.

10/5/2006
DATE

For
Gene K. Fong
Division Administrator
Federal Highway Administration

County of Tulare

SCH Number: 2000061040
06-Tul-RD80
RSTPL-5946 (021)

Mitigated Negative Declaration

Pursuant to: Division 13, Public Resources Code

Project Description

The County of Tulare, the City of Dinuba and the City of Visalia, in cooperation with the California Department of Transportation and the Federal Highway Administration, propose to improve a 16-mile segment of Road 80 from Avenue 416 in the City of Dinuba to Airport Drive in the City of Visalia. The work would include widening the roadway, improving the interchange at Road 80 and State Route 198, widening the overcrossing, and upgrading drainage. The widening would also provide sufficient right-of-way within the project corridor for a Class III bicycle lane.

Determination

The County has prepared an Initial Study for this project and, following public review, has determined from this study that the project would not have a significant effect on the environment for the following reasons:

- The proposed project would have no effect on cultural resources, paleontological resources, and geology/soils/topography.
- The project would have no adverse effect on farmland, floodplains, water quality, air quality, socioeconomic, visual/aesthetics, noise, natural communities, waters/wetlands, plant species, or animal species because avoidance, minimization, and/or mitigation measures would reduce the potential effects to insignificance.
- The proposed project would have no significantly adverse effect on threatened and endangered species, special-status species and their habitats because the project would be mitigated to a level of insignificance in accordance with the Biological Opinion rendered by the United States Fish and Wildlife Service on June 7, 2005.

Steven Worthley, Chairman
Tulare County Board of Supervisors

8-22-06
Date

Summary

The County of Tulare, in cooperation with the California Department of Transportation and the Federal Highway Administration, proposes to improve a 16-mile segment of Road 80 from Avenue 416 in the City of Dinuba to Airport Drive in the City of Visalia. Proposed work includes widening the roadway, improving an interchange, widening an overcrossing, and upgrading drainage.

Summary of Major Potential Impacts from Alternatives

Potential Impact		Build Alternative	No-Build Alternative
Land Use	**Consistent with the Visalia and Dinuba General Plan?**	Yes	No
	Consistent with the Tulare County General Plan?	Yes	No
Farmlands/Timberlands		Acquisition: 54.1 total acres of farmland	No impact
Relocation	**Business Displacements**	5 businesses	No impact
	Housing Displacements	2 single-family residential units, 1 multi-family unit	No impact
	Utility Service Relocation	Temporary interruption of services to utility customers during relocation of the power lines for construction may occur. No permanent interruption of utility services anticipated.	No impact
Environmental Justice		No impact	No impact
Utilities/Emergency Services		Temporary interruption of services to utility customers during relocation of the power lines for construction may occur. No permanent interruption of utility services anticipated. No interruption of emergency services anticipated.	No impact
Traffic and Transportation/ Pedestrian and Bicycle Facilities		Implement traffic management plan to minimize construction effects on local traffic.	No impact
Visual/Aesthetics		Minor impacts	No impact
Cultural Resources		No impact	No impact
Hydrology and Floodplain		27 acres of impermeable surface in the St. Johns River and Cottonwood Creek floodplains	No impact
Water Quality and Storm Water Runoff		No long-term effect on water quality	No impact
Geology/Soils/Seismic/ Topography		Potential impacts to paleontological resources	No impact
Hazardous Waste/Materials		Potential to uncover or disturb hazardous waste/ materials during construction	No impact

Air Quality	No permanent impact. Comply with Regulation VIII Control Measures, District Rule 9510, use PM10 control devices recommended by the San Joaquin Valley Unified Air Pollution Control District	No impact
Noise and Vibration	Sound-control devices on construction equipment	No impact
Natural Communities	0.12 acre of riparian vegetation and 2.55 acres of non-native annual grassland	No impact
Wetlands and other Waters	4.736 acres of waters of the United States, including wetlands	No impact
Plant Species	Affect one large occurrence of Earlimart orache and three small occurrences of lesser saltscale	No impact
Animal Species	Swainson Hawk: Permanently remove about 0.8 acre of potential foraging habitat consisting of non-native annual grasslands, agricultural fields, and riparian habitat Western burrowing owl: Permanently remove 9.16 acres forage and nesting habitat Western pond turtle: Permanently remove 0.98 acre aquatic habitat	No impact
Threatened and Endangered Species	Elderberry shrubs: Permanently remove 11 shrubs, 4 shrubs affected by dust, Suitable vernal pool fairy shrimp and vernal pool tadpole shrimp habitat: Directly affect 1.39 acres, indirectly affect 0.26 acres California tiger salamander: Directly affect- 1.39 acres of Californian tiger salamander habitat, and 2.55 acres of upland habitat, indirectly affect 0.26 acres San Joaquin kit fox: Permanently remove- 2.55 acres of non-native grassland, 54 acres agricultural land. Temporary loss - 18.34 acres of annual grassland	No impact
Invasive Species	May result in disturbance to biological communities in the study area by introducing invasive species found within the project site	No impact
Required Permits/Agreements	Army Corps of Engineers: Section 404 Clean Water Act California Department of Fish and Game: 1602 Streambed Alteration Agreement Central Valley Regional Water Quality Control Board: National Pollutant Discharge Elimination System permit United States Environmental Protection Agency: Air Quality Conformity State Historic Preservation Officer: Section 106 consultation	No permits, agreements needed

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List of Abbreviated Terms

Caltrans	California Department of Transportation
CFR	Code of Federal Regulations
CEQA	California Environmental Quality Act
FHWA	Federal Highway Administration
FONAE	Finding of No Adverse Effect
KP	kilometer post
NEPA	National Environmental Policy Act
PM	post mile
SHPO	State Historic Preservation Officer
USFWS	U. S. Fish and Wildlife Service

Chapter 1 Proposed Project

1.1 Introduction

The County of Tulare, in cooperation with the California Department of Transportation, and the Federal Highway Administration, proposes to improve a 16-mile segment of Road 80 from Avenue 416 in the City of Dinuba to Airport Drive in the City of Visalia. Proposed work includes widening the roadway, improving the interchange at Road 80 and State Route 198, widening an overcrossing, and upgrading drainage. The widening proposal would also provide sufficient right-of-way within the project corridor for a Class III bicycle lane. Figures 1.1 and 1.2 show the project location.

The project is included in the 2004 Federal Statewide Transportation Improvement Program. It is also included in the 2004 Regional Transportation Plan, approved by the Tulare County Association of Governments on August 16, 2004, and in the Federal Transportation Improvement Program, approved by the Federal Highway Administration on October 4, 2004, but is identified as two separate projects. One project located in the County of Tulare between Avenue 416 and Goshen Avenue. The other is located in the City of Visalia on Plaza Drive from Goshen Avenue to Airport Drive.

Road 80 is a major two arterial roadway that serves as an interregional connection between Visalia and Dinuba. It is used by approximately 10,000 vehicles per day. Road 80 provides access to the growing industrial and commercial areas in and between Visalia and Dinuba. It also provides access to the Visalia Airport.

The southern terminus of the project is State Route 198, a four-lane freeway, which connects the southern end of the project to Visalia to the east and Hanford to the west. It also connects to State Route 99 and all points in southern California. The northern terminus of the project is Avenue 416. Avenue 416 connects to the Community of Orosi to the east as a four lane divided roadway, to the City of Reedley to the west, and State Route 99 and northern California.

A project to widen Avenue 416 to four lanes west of Road 80 to State Route 99 has been programmed in the 2004/2005 State Transportation Improvement Program. Road 80 north of Avenue 416 primarily serves local traffic generators and is being constructed as a four-lane facility by local development. The intersection of Avenue 416 and Road 80 is the appropriate northern logical termini for this project.

1.2 Purpose and Need

1.2.1 Purpose

The purpose of the proposed project is to do the following:

- Provide congestion relief in order to improve traffic flow and improve level of service on the regional transportation system
- Improve safety within the Road 80 project limits
- Alleviate existing drainage and flooding issues within the project limits
- Improve access to Dinuba for local and regional travelers

1.2.2 Need

Congestion and Level of Service

During the late 1980s and early 1990s, Tulare County identified Road 80 as one of the most heavily traveled corridors in its jurisdiction. To keep up with traffic demands through the 2028-planning horizon, Tulare County realized that a major upgrade to this major travel corridor would be needed.

Land adjacent to the Road 80 corridor is zoned as Business Research Park, Light Industrial, and Agricultural. Although much of this land is currently undeveloped, the area is growing rapidly. Because of increased development through the 2028-planning horizon, traffic on the Plaza Drive portion of Road 80 is expected to increase to more than 30,000 vehicles per day, more than double its current volume. Without roadway improvements, projected 2028 traffic volumes along Road 80 would cause the level of service at all intersections to deteriorate. Widening Road 80 and improving intersections with traffic signals where warranted would maintain acceptable levels of service. See Table 1.1.

Table 1.1 Level of Service (PM Peak) at Intersections along Road 80

Intersection	Existing Level of Service		Intermediate Future (2008) Level of Service		Long-Term Future (2028) Level of Service	
	With Project	Without Project	With Project	Without Project	With Project	Without Project
Road 80 and Avenue 416 (currently signalized)	NDA	F	C	F	D	F
Road 80 and P Street (currently signalized)	NDA	B	B	B	C	C
Road 80 and Avenue 408 (currently siganalized)	NDA	D	C	D	D	F
Road 80 and Avenue 400 (4-way stop)	NDA	F	B	F	D	F

Intersection	Existing Level of Service		Intermediate Future (2008) Level of Service		Long-Term Future (2028) Level of Service	
	With Project	Without Project	With Project	Without Project	With Project	Without Project
Road 80 and Avenue 384 (currently signalized)	NDA	C	C	C	C	F
Road 80 and Avenue 368 (2-way stop)	NDA	C-C	C	C-C	C	F-F
Road 80 and Avenue 328 (2-way stop)	NDA	C-C	B	C-C	C	F-F
Road 80 and Avenue 320 (2-way stop)	NDA	C-B	B	C-B	C	F-C
Road 80 and Avenue 312 (2-way stop)	NDA	F-F	B	F-F	D	F-F
Road 80 and Avenue 304 (currently signalized)	B	D	D	D	D	F
Road 80 and Neely Street (2-way stop)	A	F	C	F	D	F
Road 80 and Crowley Avenue (2-way stop)	A	D-B	NDA	E-B	NDA	F-B
Road 80 and State Route 198 Westbound (currently signalized)	A	F	B	F	D	F
Road 80 and State Route 198 Eastbound (currently signalized)	A	C	B	D	B	F

Source: CCS Planning and Engineering 2000b and County of Tulare
Note: NDA = no data available

Safety

Two intersections within the proposed project limits had collision rates higher than the statewide average for similar intersections (see Table 1.2). These intersections, Road 80/Avenue 304 and Road 80/Avenue 328, had collision rates 1.2 and 8.5 times higher than the statewide average. The intersection at Avenue 304 is currently signalized and the warrants for a signal at Avenue 328 are not met.

Providing two travel lanes in each direction will enhance the safety of vehicles using this route. This allows vehicles operating at different speeds in the same direction to pass or overtake each other without entering lanes of opposing traffic. The divided median provides additional distance and a physical barrier between lanes of opposing traffic. It also allows separates through traffic from traffic making left or right turns. The divided median width of 22 feet allows smaller vehicles crossing Road 80 or making left turns onto Road 80 at median openings to make this turn in two phases, rather than having to cross all lanes of traffic at once. A clear recovery zone of 20 feet from the edge of the outside travel lane to horizontal obstructions will be preserved.

Table 1.2 Collision Rates of Intersections and Freeway Ramps within the Proposed Project Area

Collision Rates (expressed in accidents per million vehicles)		
Intersections	**Actual Collision Rate**	**Statewide Average**
Road 80/Avenue 400	0.0	0.11
Road 80/Avenue 328	0.94	0.11
Road 80/Avenue 304	0.71	0.58
Road 80/ State Route 198 Eastbound	0.63	0.80
Road 80/State Route 198 Westbound	0.07	1.5

Source: California Department of Transportation District 6 Traffic Division and Tulare County 2005

Drainage and Flooding

The intersection of Road 80 at Avenue 360 floods at peak times during the storm season. The flooding has impeded traffic and sometimes closed the road to through travel. Agricultural development has also contributed to altering the original lower elevations of the surrounding lands, allowing storm water runoff that would normally drain toward Cottonwood Creek to be redirected to the roadway, rendering the existing cross drainage inadequate. Replacement of a larger culvert under Avenue 360, east of Road 80, would allow more water to flow southward to the existing ditch system. Raising the proposed road elevation in order to supply sufficient cross drainage piping would alleviate the flooding across Road 80.

Recent changes to regulations governing storm water runoff and clean water preclude Alta Irrigation District from continuing to accept the City of Dinuba's untreated roadway runoff. A separate locally funded project (see Figure 1.2) sponsored by the City of Dinuba to construct a detention (or retention) basin west of Road 80 between Avenue 408 and Sierra Way would allow storm water runoff to accumulate during peak storm runoff events. The stored water could be pumped to an Alta Irrigation District facility after it settled for a period of time or could be used for groundwater recharge.

Access for Dinuba

Dinuba is the only city in Tulare County without direct access to a state highway. In addition to the overall population growth increase expected for the next 25 years, the City of Dinuba has encouraged the establishment of packing sheds, food processing plants, and big box retail stores. As a result, truck traffic into and out of the City of Dinuba is heavy. Nearly all of these truck intensive land uses are located south of Avenue 416, so

they use Avenue 416 (El Monte Way), Avenue 412 (Sierra Way), and Avenue 408 (Kamm Avenue) as traffic collectors to Road 80.

Road 80 is a County designated through route from Avenue 416 to State Route 198, and an officially designated truck route in the City of Dinuba. Road 80 also, serves as the only regional north/south link between Visalia and Dinuba, State Route 198, and State Route 99 to southern California. Most of these trucks use Road 80 as the southern regional access route. Widening Road 80 would improve access for local residents and regional traffic. Currently, heavy truck traffic impairs the free-flow traffic speed along uncontrolled segments of Road 80.

1.3 Alternatives

The proposed project lies within the cities of Visalia and Dinuba and the unincorporated area of Tulare County. Within the project limits, Road 80 is primarily a two-lane rural highway that provides local access to adjacent properties. The project begins at Avenue 416 in the City of Dinuba and ends at Airport Drive in the City of Visalia, south of the Road 80/State Route 198 interchange. Proposed work includes widening the roadway, improving the interchange at State Route 198, widening an overcrossing, and upgrading drainage.

Since the proposed project falls within three government jurisdictions, project features such as median and lane widths will vary from one jurisdiction to the next. Table 1.3 outlines right-of-way requirements within the three government jurisdictions.

Table 1.3 Right-of-Way Requirements for the Proposed Project

Location	Right-of-Way Requirements
In Dinuba	Approximately 96-100 feet
In unincorporated Tulare County	Approximately 130 feet
In Visalia: North of Neeley Street and south of Avenue 304 Neeley Street to State Route 198 State Route 198 overcrossing to Airport Avenue	 Approximately 110 feet Approximately 140-248 feet Approximately 110 feet

1.3.1 Preferred Alternative

The Preferred Alternative includes the following:

- Widening the roadway to four lanes from Avenue 416 in Dinuba to Neeley Street in Visalia (see Figure 1-3)
- Right-of-way of sufficient width to provide for a Class III bicycle lane within the project corridor
- Relocating above-ground utilities
- Widening the roadway to six lanes from Neeley Street to State Route 198 in Visalia
- Adding two-way continuous left-turn lanes and/or raised medians within the City of Dinuba
- Adding 14-foot-wide depressed medians with 4-foot paved shoulders in the unincorporated areas of Tulare County
- Adding 18-foot-wide medians, 8-foot paved shoulders and 8-foot wide sidewalks within the City of Visalia
- Upgrading City of Dinuba Road 80 and local street intersections (L Street, M Street, Uruapan Street, O Street, Tulare Street and Kern Street) to standard 90 degree intersections with traffic signals occurring at intersections where warranted
- Closing Q Street and P Street access to Road 80 in Dinuba
- Widening the existing bridges at St. Johns River, Elbow Creek and Cottonwood Creek and extending existing culverts
- Installing a larger culvert 1.5 miles east of Road 80 on Avenue 360
- Constructing roadside ditches along Road 80 south of Avenue 360
- Raising the road profile north of Avenue 360 while preserving existing hydraulic conditions by installing new culverts with inlet control set at the current road profile elevation
- Installing a new storm drain system on Road 80, including a lift pump, to drain Road 80 and connect existing storm drains to a new detention/retention basin proposed by the City of Dinuba as a separate project
- Constructing retaining walls to provide room to widen on- and off-ramps at State Route 198
- Installing cast-in-place pre-stressed concrete box-girder structures on one side of the existing interchange at State Route 198
- Widening the overcrossing of Plaza Drive over State Route 198 from two lanes to four lanes (see Figure 1-4)
- Upgrading the railroad crossing on Road 80 south of Avenue 416 and north of Avenue 304

- Upgrading existing traffic signals and replacing an existing four-way stop on Avenue 400 and Road 80 with a new traffic signal, and installing new traffic signals at Avenue 312, Neeley, and Crowley.

Road 80 improvements would include a combination of symmetrical and asymmetrical widening in order to avoid palm trees, a market, the Visalia Landfill, and irrigation structures and facilities.

The Preferred Alternative was chosen for the following reasons: it would meet the purpose and need of the project by providing congestion relief, improving traffic flow, and improving the level of service on the regional transportation system. The alternative would also alleviate existing drainage and flooding issues within the project limits. Lastly, the Preferred Alternative would improve access to Dinuba for local and regional travelers.

The estimated project cost is $72 million. Table 1.4 shows the alignment directions for locations within the project limits. It is expected that the construction of this project would occur in phases. Locations and limits of construction phases would be determined by funding availability.

Table 1.4 Location and Alignment Descriptions within the Project Limits

Alignment in the Project Limits – Dinuba, Unincorporated Tulare County, and Visalia	
Location	**Alignment direction**
Avenue 416 to Avenue 402	Centered
Avenue 402 to Avenue 388	East
Avenue 388 to Avenue 374	West
Avenue 374 to Avenue 335	East
Avenue 335 to Avenue 328	West
Avenue 328 to Avenue 314	East
Avenue 314 to Avenue 302	Centered
Avenue 302 to Airport Drive	East

Note: Avenues 402, 388, 374, 328, 314, and 302 are hypothetical extensions only and used to create boundaries for the project limits; they do not physically intersect Road 80, and no corresponding intersections would be constructed under the proposed project.

1.3.2 No-Build Alternative

The No-Build Alternative would make no modifications to the existing roadway, resulting in a potential increase in the rate of collisions over time. Without improvements, the existing roadway would not be able to accommodate future traffic volumes. The Avenue 360 culvert replacement and other drainage improvements designed to alleviate

storm water flooding would not be constructed, thus the potential for flooding across Road 80 would continue.

1.3.3 Alternatives Considered and Withdrawn

Two project study reports were prepared for the proposed project. The project study report prepared for Tulare County (Transportation Planning Group 1998) covered the northern portion of the project alignment (Avenue 416 to Avenue 304). The project study report prepared for Visalia covered the southern portion of the project alignment (Avenue 304 to Airport Drive).

In the Tulare County project study report, two alternatives (Alternatives A and B) were developed. There was no operational difference between Alternative A and B. The key features associated with Alternative A included avoidance of an existing residential structure at the northeast corner of the intersection and removal of palm trees on the west side of the road, south of Avenue 400. Alternative B was designed to avoid the removal of the palm trees and the piping of the Alta Irrigation Canal.

The project study report for Visalia, proposed two alternatives (Alternatives 1 and 2). Both alternatives proposed widening Plaza Drive as follows: from two lanes to four lanes between State Route 198 and Airport Drive, from two lanes to six lanes between State Route 198 and Neeley Street, and from two lanes to four lanes between Neeley Street and Goshen Avenue. However, there were two structure options considered for the widening of the Plaza Drive/State Route 198 interchange overcrossing, a four-lane and a six-lane overcrossing. Alternative 1 proposed four lanes; and Alternative 2, six lanes.

The above-mentioned alternatives were considered. Alternative B (to avoid the palm trees and the piping of the Alta Irrigation Canal) and Alternative 1 (proposing to widen the Plaza Drive/State Route 198 interchange overcrossing to four lanes) were incorporated into the “Build Alternative” for this proposed project. This created a build alternative that resulted in minimizing impacts on existing residences, agricultural properties, the palm trees, the Alta Irrigation Canal, and the Dinuba Ditch.

Alternative A and Alternative 2 were withdrawn from consideration due to potential impacts to existing residences, agricultural properties, palm trees, the Alta Irrigation Canal, and the Dinuba Ditch.

A transportation system management alternative, which included restriping Road 80 or improving signage, was also considered. Such an alternative was not considered viable

because it would not relieve traffic congestion or safety along the Road 80 corridor, or improve access to the City of Dinuba.

1.4 Permits and Approvals Needed

Approval and/or permits from the following agencies and jurisdictions would be required (respective permits, if any, are also indicated) for the proposed project:

- U.S. Army Corps of Engineers—Section 404 of the Clean Water Act
- U.S. Fish and Wildlife Service—Endangered Species Act compliance
- California Department of Fish and Game—Streambed Alteration Agreement
- Central Valley Regional Water Quality Control Board—National Pollutant Discharge Elimination System permit
- State Historic Preservation Officer—Section 106 consultation for cultural resources; City of Visalia
- City of Dinuba
- Alta Irrigation District—license
- State of California Public Utilities Commission—permit

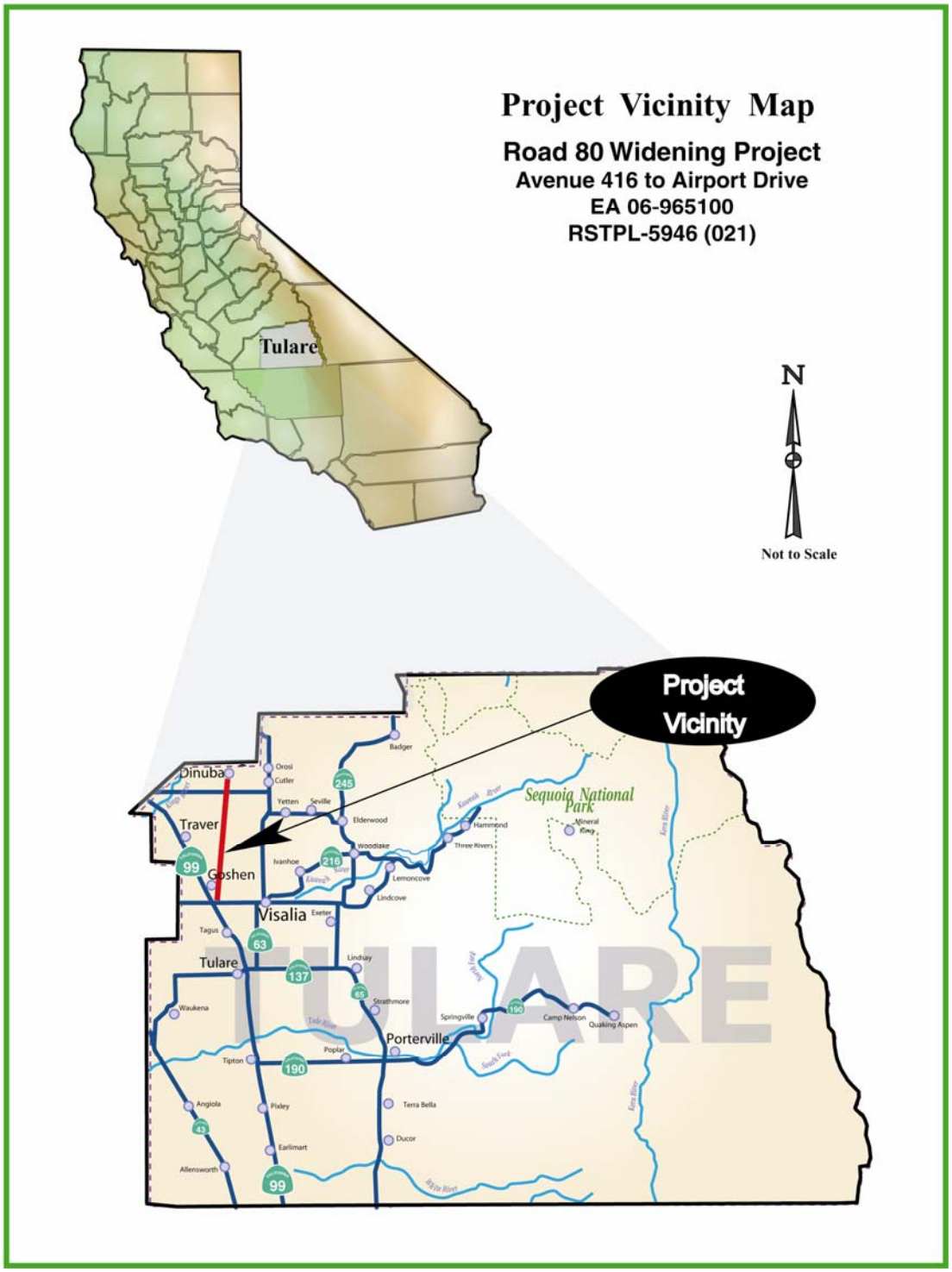


Figure 1-1 Project Vicinity Map

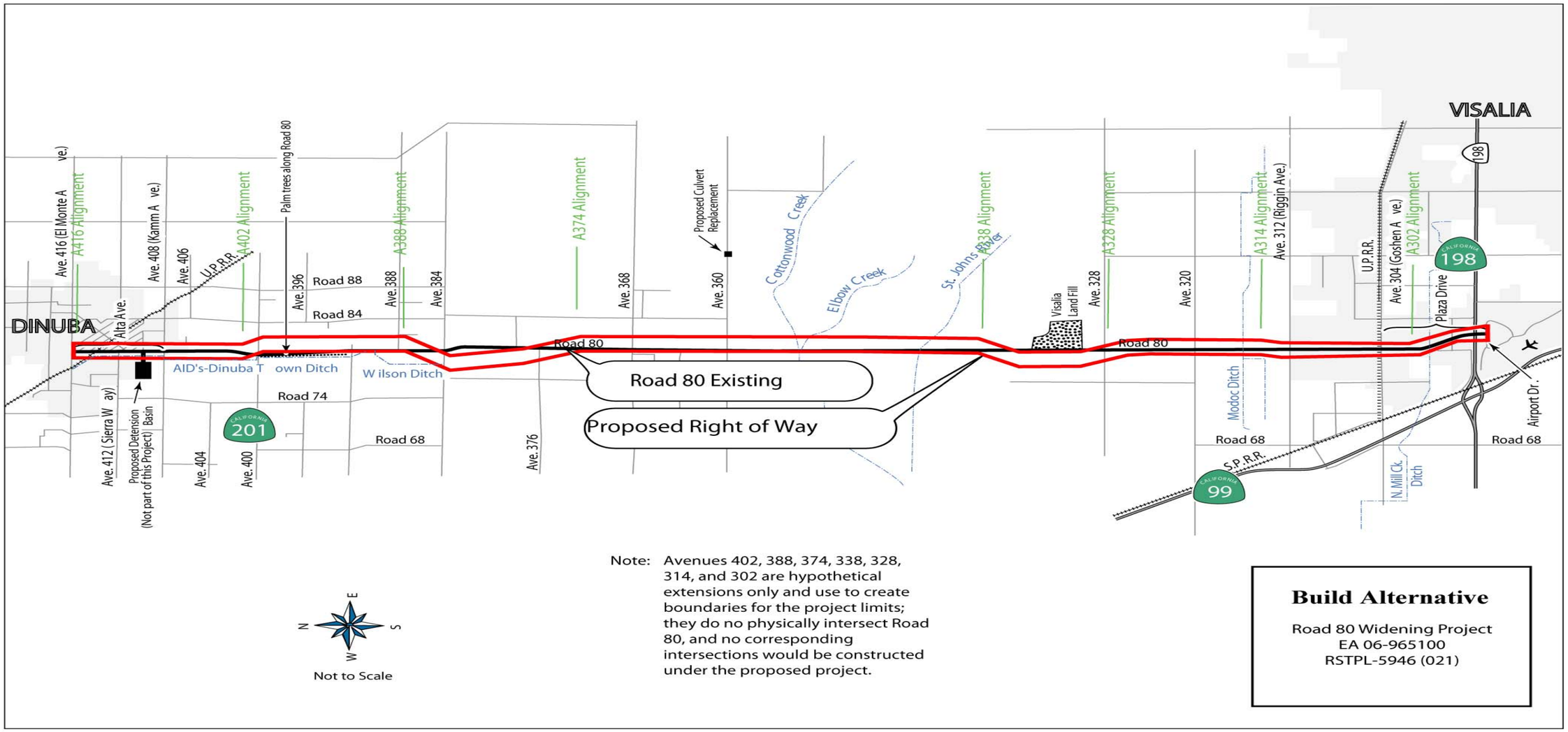
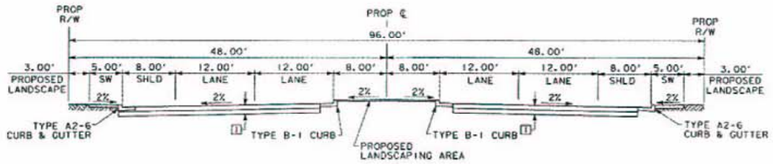
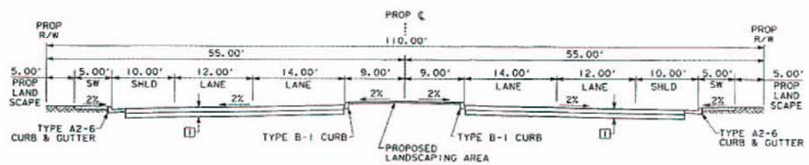


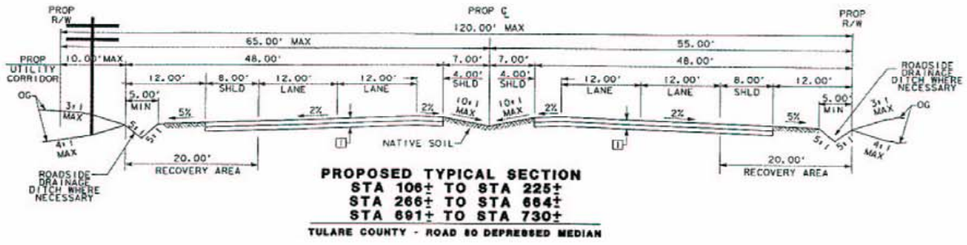
Figure 1-2 Location of Road 80 Widening Project



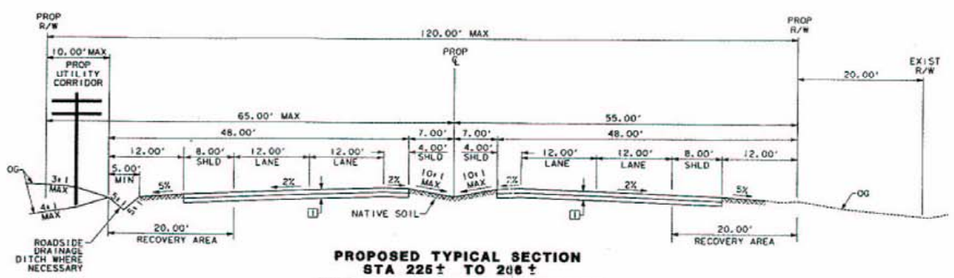
PROPOSED TYPICAL SECTION
STA 730± TO STA 793±
CITY OF DINUBA - ROAD 80 (ALTA AVE) RAISED MEDIAN



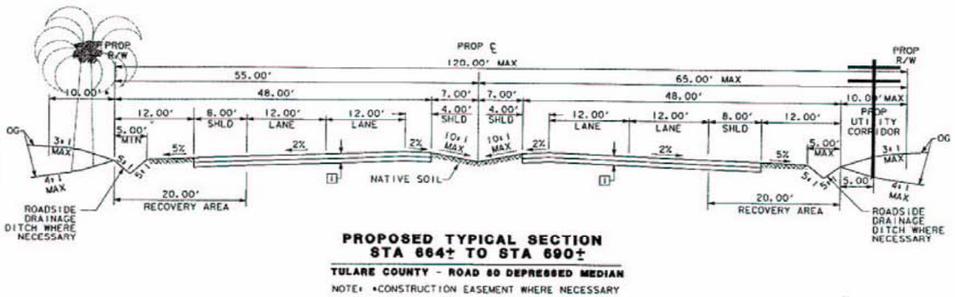
PROPOSED TYPICAL SECTION
STA 65± TO STA 106±
CITY OF VISALIA - ROAD 80 (PLAZA DRIVE)
RAISED MEDIAN



PROPOSED TYPICAL SECTION
STA 106± TO STA 225±
STA 266± TO STA 664±
STA 691± TO STA 730±
TULARE COUNTY - ROAD 80 DEPRESSED MEDIAN



PROPOSED TYPICAL SECTION
STA 225± TO 266 ±
TULARE COUNTY - ROAD 80 DEPRESSED MEDIAN



PROPOSED TYPICAL SECTION
STA 664± TO STA 690±
TULARE COUNTY - ROAD 80 DEPRESSED MEDIAN
NOTE: *CONSTRUCTION EASEMENT WHERE NECESSARY

PROPOSED STRUCTURAL SECTION

	FROM STATION	TO STATION	BASE THICKNESS (IN.)	SURFACE THICKNESS (IN.)
			CL2-AB	HMA ASPHALT
1	054+00	106+00	15	7
	106+00	159+00	11	7
	159+00	212+00	15	7
	212+00	330+00	11	7
	330+00	385+00	15	7
	385+00	445+00	21	7
	445+00	478+00	15	7
	478+00	585+00	11	7
	585+00	690+00	11	7
	690+00	743+00	11	7
	743+00	796+00	11	7

DOKKEN ENGINEERING
11171 SUN CENTER DRIVE
RANCHO CORDOVA, CA 95670 (916) 858-0642

PROJECT MANAGER: RICK LIPTAK
DATE: FEBRUARY 28, 2003
SCALE: NOT TO SCALE

PROJECT: ROAD 80 WIDENING
PROPOSED TYPICAL X-SECTION

001133.00-0003 (0-02)

Figure 1-3 Typical Cross Sections

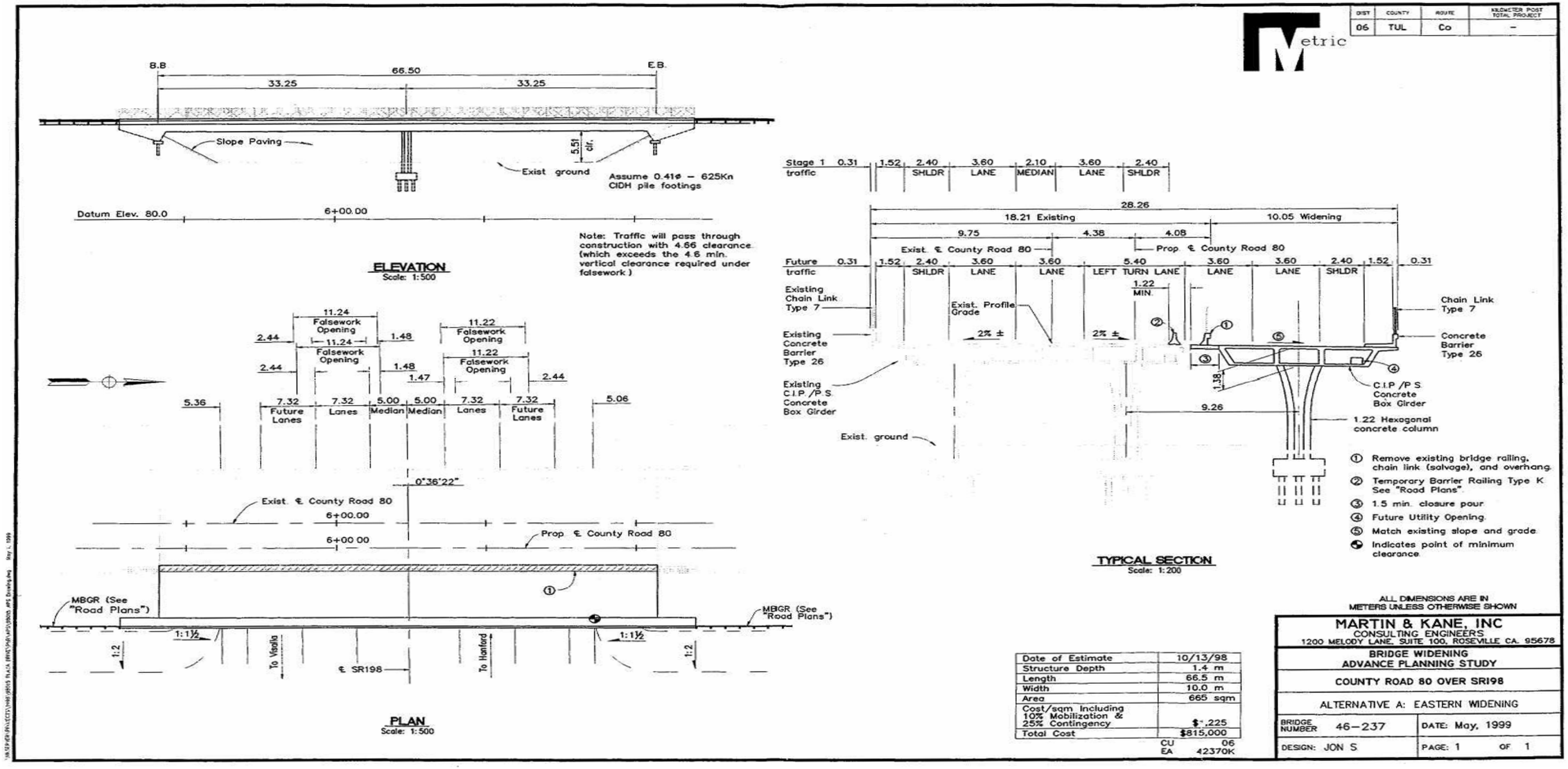


Figure 1-4 Plaza Drive Overcrossing Typical Cross Sections

Chapter 2 Affected Environment, Environmental Consequences, and Avoidance, Minimization and/or Mitigation Measures

This chapter explains the impacts that the project would have on the human, physical and biological environments in the project area. It describes the existing environment that could be affected by the project and potential impacts from each of the alternatives.

As part of the scoping and environmental analysis conducted for the project, the following environmental resources were considered, but no potential for adverse impacts to these resources was identified. Consequently, there is no further discussion regarding these resources in this document:

> Geology/Soils/Seismic/Topography - According to the Tulare County, City of Dinuba and City of Visalia General Plans, and the Initial Site Assessment, no known active faults are located in or near the project area. The erosion hazard on soils in the project area is slight to nonexistent because of the minimal slopes in the area. Project-area planning documents have identified no urban-development restrictions based on soils or geologic structures in the area. Project-area soils are not subject to geologic problems because of their mild topography, moderate permeability, and stability. The proposed project would not be located on highly expansive soils and would be designed to meet the criteria required by the California Department of Transportation.

2.1 Human Environment

2.1.1 Land Use

About 3.3 miles of Road 80 in the project area lies within the city limits of the cities of Dinuba and Visalia. The remaining 12.7 miles of Road 80 pass through agricultural areas in unincorporated areas of Tulare County that are under county jurisdiction.

2.1.1.1 Existing and Future Land Use

Land use planning in the project area is governed by the City of Dinuba, the City of Visalia, and Tulare County.

City of Dinuba

Land use planning in the City of Dinuba is governed by the Dinuba General Plan (adopted in 1997), which contains goals and objectives for long-range land use planning and specific policies to support these goals and objectives. Among the elements the general plan covers are land use, circulation, open space, conservation, recreation, urban boundary, community design, noise, public services and facilities, safety, and housing. Figure 2-1 shows the general plan land use map governing development in the project area. The Southwest Dinuba Specific Plan governs development in the area bounded by Avenues 417 and 408 and Roads 72 and 80. Development in the project area is also guided by the Dinuba Redevelopment Plan. Land use in the City of Dinuba consists of a variety of residential, commercial, and industrial/warehouse uses.

Dinuba is experiencing residential, commercial, and industrial growth. To accommodate this ongoing growth, residential development is expected to occur in the northeast, southeast, and northwest quadrant of the city, adjacent to existing development. Commercial and industrial development is occurring in the southwestern quadrant of the city (south of El Monte Way and east of Road 80). The city is also considering annexing the area west of Road 80 between the current city limits and Avenue 408 (Kamm Avenue) to allow for development of additional warehouse/distribution space in the southwestern quadrant of the city. Limited new commercial development also has occurred recently along the Road 80 corridor in the study area, including an Exxon gas station/mini mart at the intersection of Road 80 and El Monte Way, and a new police/court building that has been constructed recently at the intersection of Uruapan Way and Road 80. Future development of parcels along Road 80 must be in accordance with the plan lines for the roadway widening so that conflicts between new development and the Road 80 widening project are avoided.

City of Visalia

The Visalia General Plan (updated in 1996), which contains goals, objectives and specific policies for long-range land use planning, governs land use planning in the portion of the project area within the City of Visalia. Visalia's Circulation Element is currently being revised. Figure 2-1 shows the general plan land use map governing development in the project area.

The portion of the project site between Avenue 304 and Airport Avenue is also addressed by the West Visalia Specific Plan. This specific plan generally addresses the provision of commercial developments and State Route 198 improvements.

The portion of the project area from the area's southern end to approximately Modoc Ditch lies within the Safety Review Area of the Visalia Municipal Airport Master Plan.

The Road 80 study area in Visalia is experiencing active industrial/warehouse development, including recent development of several distribution facilities along Road 80 (Plaza Drive). Currently, a 630,000-square-foot warehouse is being constructed at the intersection of Ferguson Avenue and Road 80. This trend in light industrial and warehouse development is expected to continue as the city actively markets this area through its economic development agency. In addition, the amount of land available for industrial/warehouse development along this corridor will be expanded as the city annexes land north to its urban limit line.

Tulare County

Land use planning in the unincorporated portions of Tulare County between the cities of Dinuba and Visalia is governed by the Comprehensive Policy Plan of the County of Tulare, which includes the Rural Valley Lands Plan and the Urban Boundaries documents for the cities of Visalia and Dinuba. These plans contain policies that guide growth in the unincorporated portions of Tulare County and include the adopted land use plan for Visalia. The Comprehensive Policy Plan sets the framework for the city/county relationship in land use matters. Figure 2-1 shows the general plan land use map governing development in the project area.

In the Tulare county portion of the Road 80 corridor, recent development of lands generally has been limited to annexation of areas within the Urban Development Boundaries of Dinuba and Visalia. No substantial new development is expected to occur in the unincorporated area of Tulare County in the near future.

Tulare County Association of Governments

The Tulare County Association of Governments provides regional transportation planning services to Tulare County. These services include preparing and adopting the regional transportation plan and regional transportation improvement program for Tulare County. The most recent regional transportation plan was adopted by the Tulare County Association of Governments in 2004 and provides for transportation planning until 2024. The 2004 Regional Transportation Improvement Program, adopted by the Tulare County Association of Governments in 2004, includes program expenditures on road improvements that would occur during the next 4 years. The Road 80 widening project is designated as a "STIP RIP Funded Project" in the adopted regional transportation plan.

Affected Environment

Land use in the City of Dinuba includes residential, commercial, and industrial uses (Figure 2-1). Commercial and light industrial uses with scattered residential properties are found adjacent to Road 80, north of Avenue 408. A residential subdivision is being built on the east side of Road 80 at the southern boundary of the City of Dinuba. Since the subdivision was designed and constructed with Road 80 improvements in mind, adequate setback from the existing Road 80 centerline was provided. A county fire station lies just south of the City of Dinuba, approximately 0.4 mile north of Avenue 400. A business is located at the corner of Road 80 and Avenue 384.

Agricultural uses including annual and perennial crops and open space lands dominate the unincorporated portion of the project area. All undeveloped acreage in the project area has been mapped as Irrigated Farmland. The majority of the acreage adjacent to Road 80 is also Irrigated Farmland with Grazing Land adjacent to Cottonwood Creek, Elbow Creek and the St. Johns River. The Visalia Landfill sits in the unincorporated portion of the project area, at the northeast corner of the Road 80/Avenue 328 intersection.

A variety of urban uses exist within the City of Visalia (Figure 2-1). The area south of State Route 198 is bordered by a hotel facility on the west and Plaza Park, a regional recreation facility with active sports areas and a golf course, to the east and south of the roadway. No encroachment into Plaza Park is proposed. A mix of agricultural lands and industrial uses are located along the Road 80 corridor, north of State Route 198 and south of Avenue 304.

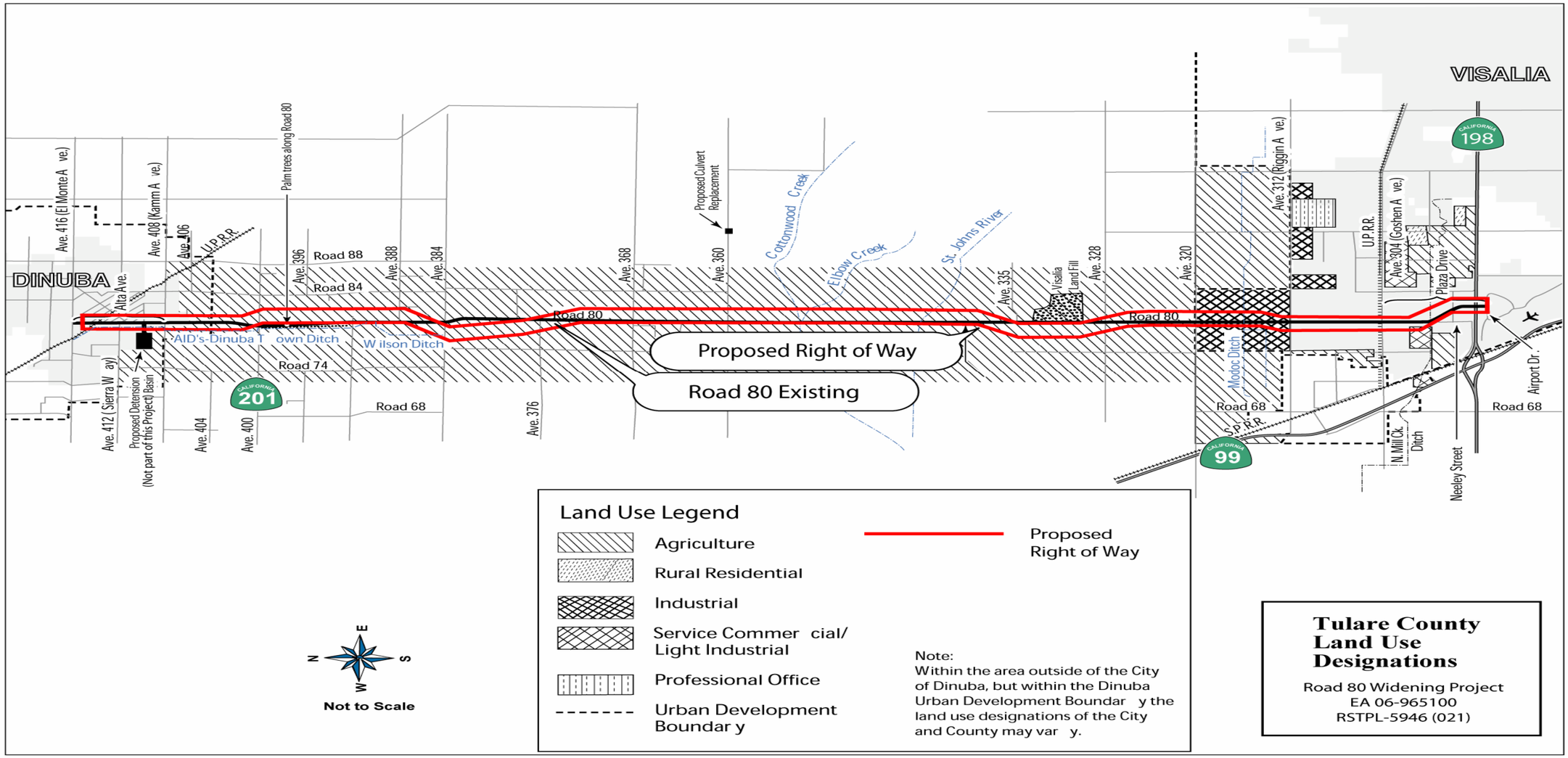


Figure 2-1 Tulare County Land Use Designations

2.1.2 Growth

This section addresses the relationship between the proposed project and area growth patterns.

Regulatory Setting

The Council on Environmental Quality regulations, which implement the National Environmental Policy Act of 1969, requires evaluation of the potential environmental consequences of all proposed federal activities and programs. This provision includes a requirement to examine indirect consequences, which may occur in areas beyond the immediate influence of a proposed action and at some time in the future. The Council on Environmental Quality regulations, 40 Code of federal Regulations 1508.8, refer to these consequences as secondary impacts. Secondary impacts may include changes in land use, economic vitality, and population density, which are all elements of growth.

The California Environmental Quality Act also requires the analysis of a project's potential to induce growth. The California Environmental Quality Act guidelines, Section 15126.2(d), require that environmental documents "…discuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment…"

Affected Environment

Tulare County's population has grown at a moderate, steady pace in recent years (see Table 2.1). The county's population was approximately 312,000 in 1990. That grew to an estimated 380,000 in 2000, for an annual growth rate of 1.9 percent. In contrast, statewide population growth averaged 1.5 percent over the same period. Tulare County's average annual growth rate is anticipated to increase to 2.5 percent between 2000 and 2020, which would result in a countywide population of approximately 570,000 by 2020. The California Department of Finance in May 2004 projected a population of 543,749 by 2020 for Tulare County.

Table 2.1 Historic, Existing, and Projected Population Growth in California, Tulare County, Dinuba, Visalia, and the Study Area

Area of Concern	1990	2000	2010	2020	Average Annual Growth Rate 2000–2020
California	29,944,000	34,653,000	39,958,000	45,449,000	1.6%
Tulare County	312,000	380,000	470,000	570,000	2.5%
Dinuba	13,000	16,844	22,000	27,400	2.7%
Visalia	76,000	91,565	129,000	165,000	3.4%
Study Area	33,398	31,804	NA	NA	NA

Source: United States Department of Commerce, Bureau of Census 2000
NA = not available

City of Dinuba

Although the City of Dinuba is smaller than the City of Visalia, the cities' growth rates since 1990 have been similar. The City of Dinuba's population grew by an average annual rate of 3.3 percent between 1990 and 2000; its population increased from 13,000 in 1990 to an estimated 16,844 at the beginning of 2000 (Table 2.1). The City of Dinuba's population is projected to increase by an average annual rate of 2.7 percent between 2000 and 2020, which would result in a city population of 27,400 in 2020.

The study area contained approximately 33,400 persons in 1990, approximately 10.7 percent of the county's population (Table 2.1). Most people in the study area live in southern Dinuba, northwestern Visalia, and the unincorporated communities of Goshen and London. The population in and next to the project limits includes Dinuba neighborhoods immediately east of Road 80 and rural residents between the cities of Dinuba and Visalia.

City of Visalia

Much of Tulare County's recent growth has occurred in the City of Visalia, the county's largest city. The City of Visalia's population increased from 76,000 persons in 1990 to roughly 91,565 persons in 2000, with an average annual growth rate of 2.7 percent. Like the countywide growth rate, the City of Visalia's average annual growth rate is expected to increase between 2000 and 2020. As shown in Table 2.1, the City of Visalia's projected average annual growth rate of 3.4 percent between 2000 and 2020 would result in a population of 165,000 by 2020.

Impacts

Factors affecting growth patterns depend on a range of economic forces that can be local, statewide, or national in scope. Ultimately, the amount and location of population growth and economic development that occurs in a specific area is controlled, to some extent, by

local and county governments through zoning, land use plans and policies, and decisions regarding development applications.

The proposed project would neither introduce a new transportation facility nor increase or provide access to new parts of the study area. Since the proposed project would increase capacity and improve levels of service, it would have the potential to help support future economic or population growth.

The areas along Road 80 in Dinuba are designated for commercial, light industrial and residential uses. The Visalia Land Use Element identifies the area adjacent to Road 80 as industrial, business park and public facilities. The accompanying zoning designations are light industrial, highway commercial, business park research, and quasi-public facilities. The area along Road 80 between the 2020 urban development boundaries of Dinuba and Visalia is zoned as mostly agricultural use. Zoning is under local jurisdiction and is not subject to change without local input.

Growth pressures are strongest along Road 80 in and near Dinuba and Visalia. Both communities are coordinating with Tulare County to accommodate future growth through urban development. The Dinuba urban development boundary extends south along both sides of Road 80 to Avenue 404 and is designed to accommodate community growth projections through 2020. Visalia's urban development boundary is linked to population growth projections and development levels in the city and is anticipated to provide adequate quantities of land for development through 2020.

The area along Road 80 between the 2020 urban development boundaries of Dinuba and Visalia is zoned mostly for agricultural use. Future parcel rezonings will be subject to strict conditions in the Rural Valley Lands Plan. Projected growth is planned for in the Tulare County Comprehensive Policy Plan, which includes the Rural Valley Lands Plan and the urban development boundaries.

It is possible that highway-related development could occur along the corridor. However, this development would not be inconsistent with current land use and zoning designations along Road 80 within the proposed project area.

Given the coordinated growth-control mechanisms in place, the proposed project would be unlikely to substantially encourage unplanned development in the area or shift or hasten growth along the Road 80 corridor. Planned development of vacant and agricultural parcels along Road 80 will likely occur within the Dinuba and Visalia urban development boundaries. The proposed project is designed to accommodate growth and

circulation in relation to the local plans. It is also designed to contain goals and objectives for long-range planning with specific policies to maintain elements such as circulation, open space, conservation, recreation, urban boundary, community design, noise, public services and facilities, safety, and housing.

Avoidance, Minimization and/or Mitigation Measures

No further requirements are needed.

2.1.3 Farmland

Regulatory Setting

The National Environmental Policy Act and the Farmland Protection Policy Act (United States Code 4201-4209; and its regulations, 7 Code of Federal Regulations Ch. VI Part 658) require federal agencies, such as the Federal Highway Administration, to coordinate with the Natural Resources Conservation Service if their activities may irreversibly convert farmland (directly or indirectly) to nonagricultural use. For purposes of the Farmland Protection Policy Act, farmland includes prime farmland, unique farmland, and land of statewide or local importance. The land does not currently have to be used for cropland. It can be forestland, pastureland, cropland, or other land, but not water or urban developed land.

The California Environmental Quality Act requires the review of projects that would convert Williamson Act contract land to non-agricultural uses. The main purposes of the Williamson Act are to preserve agricultural land and to encourage open space preservation and efficient urban growth. The Williamson Act provides incentives to landowners through reduced property taxes to deter the early conversion of agricultural and open space lands to other uses.

Local - Tulare County. The Tulare County General Plan Environmental Resources Management Element and the Tulare County Planning Department strongly emphasize conserving and preserving high-quality agricultural soils for agricultural production. Recommendations relating to the proposed action include the following:

- Urban uses should be permitted on Class I, II, and III soils only when they are located within the spheres of influence around each municipality and service center community within the county.
- Standards should be adopted that will be applicable to all types of man-made disruption of soils and subsurface geological features to minimize erosion and sedimentation problems.

Agricultural-related objectives of the Open Space, Conservation and Recreation Element of the Dinuba General Plan Update include preserving Prime Farmland and Farmland of Statewide Importance within the Dinuba Urban Area Boundary to support continued agricultural production.

Affected Environment

Agriculture is the predominant land use in Tulare County. According to the California Department of Conservation, Tulare County has about 1,313,494 acres identified as agricultural land. Tulare County is the second leading producer of agricultural commodities in the United States and the number one dairy county in the world. Orchard, vineyard, and field crops are the primary agricultural uses near the project area. Numerous large dairies are also located along Road 80. Virtually all land along Road 80 between the cities of Dinuba and Visalia (from Avenue 408 to Avenue 312) is zoned for agriculture and designated for agricultural use in the Tulare County Area General Plan.

An estimated 151 acres are actively farmed as part of large, privately owned agricultural parcels in the project limits. There are 91 agricultural properties adjacent to Road 80. Agricultural uses are more intensive between Avenues 408 and 376, and consist of numerous vineyards and stone fruit orchards. Wheat, barley, and corn as well as hay and irrigated pasture are found south of Avenue 376. These crops provide feed and forage for nearby dairy operations.

The U.S. Soil Conservation Service has identified soils in the project area as Prime Farmland. Some soils in the City of Dinuba are classified as Prime Farmland if irrigated, and some soils in the City of Visalia are considered Class I and II soils (Prime Farmland) although the California Department of Conservation identifies them as urban soils. Other underlying soils are identified as farmland of statewide and local importance.

Impacts

The Farmland Conversion Impact Rating from the Natural Resources Conservation Service (Form AD 1006) was used to determine the level of farmland impacts caused by the proposed project. Points are used to assess the impacts to farmland based on the type of farmland to be converted to nonagricultural use and specific site assessment criteria. Affected lands that have a score of 160 or greater are considered to have a higher degree of impact, and are suitable for protection under the Farmland Protection Policy Act.

About 54.1 acres of farmland would be directly converted into nonagricultural use as a result of the project. Of this amount, 23.8 acres are considered prime farmland, and 30.3 acres are considered farmland of statewide and local importance. The Farmland

Conversion Impact Rating gave the project an overall score of 143 out of 260 possible points (Appendix F). This score does not trigger the need for protection under the Farmland Protection Act.

Forty-four parcels subject to Williamson Act contracts, totaling about 54 acres, would be directly affected by the proposed project. Most of the parcels are in the unincorporated portion of the project area, between Avenues 406 and 312. Acquisition of contracted lands for the proposed project cannot be avoided because contracted lands lie along both sides of the existing roadway. The project would acquire a portion of land from each parcel for construction of the proposed project. The acreage acquired for the proposed project would no longer be covered under the Williamson Act contract provisions. However, the remaining agricultural parcel acreage would retain its Williamson Act contract protection.

The percentage of farmland to be converted constitutes 0.023 percent of the farmland in Tulare County.

Avoidance, Minimization and/or Mitigation Measures

The County of Tulare, City of Dinuba and City of Visalia would provide funds to the Agricultural Land Stewardship Program, operated by the Department of Conservation or a local land trust (the American Farmland Trust). The funding amount must be adequate to purchase farmland agricultural easements similar in quality to the farmland adjacent to Road 80 that is to be converted by the proposed project. Purchasing agricultural easements equal to the acres of important farmland converted at a 1:1 ratio would compensate for project-related conversions by permanently protecting agricultural lands. Funds provided to a local land trust would be targeted to purchasing easements on farmland in the Road 80 corridor between Dinuba and Visalia.

2.1.4 Community Impacts

2.1.4.1 Community Character and Cohesion

Regulatory Setting

The National Environmental Policy Act of 1969 as amended, established that the federal government use all practicable means to ensure for all Americans safe, healthful, productive, and aesthetically and culturally pleasing surroundings [42 United States Code 4331(b)(2)]. The Federal Highway Administration in its implementation of the National Environmental Policy Act [23 United States Code 109(h)] directs that final decisions regarding projects are to be made in the best overall public interest. This requires taking

into account adverse environmental impacts, such as destruction or disruption of human-made resources, community cohesion and the availability of public facilities and services.

Under the California Environmental Quality Act, an economic or social change by itself is not to be considered a significant effect on the environment. However, if a social or economic change is related to a physical change, then social or economic change may be considered in determining whether the physical change is significant. Since this project would result in physical change to the environment, it is appropriate to consider changes to community character and cohesion in assessing the significance of the project's effects.

Affected Environment

Road 80 within the project limits extends south from Avenue 416 in Dinuba to Airport Drive in Visalia. Although the project limits begin and end in incorporated urban areas, undeveloped parcels used for intensive commercial agricultural production make up most of the area in the Road 80 project limits.

Agriculture is the predominant land use in Tulare County, with orchard, vineyard, and field crop acreage as the primary agricultural uses near the project site. Tulare County currently ranks second in the nation and state, behind neighboring Fresno County, in agricultural output.

Numerous dairies are also located east and west of the roadway, mostly south of Avenue 384. No communities or extensive neighborhoods lie next to the project limits in the unincorporated portion of the study area. A number of dispersed rural homes, many associated with adjacent farms and dairies, are located east and west of Road 80 between Dinuba and Visalia.

Tulare County's population was approximately 311,920 in 1990 and grew to an estimated 363,270 in 1999, a rate of 1.8 percent. Tulare County's largest city, Visalia, increased from 75,640 persons in 1990 to 94,800 persons in 1999. The population for the city of Dinuba grew from 12,740 in 1990 to an estimated 15,400 in 1999. The study area's population was approximately 57 percent Hispanic, 37 percent white, and 6 percent other ethnic groups in 1990.

The California Department of Finance estimated that Tulare County's housing stock had grown to 120,000 units by 1999, with single-family homes accounting for 75 percent of the total. By 1999, the City of Dinuba's housing stock (77 percent single-family units and 23 percent multi-family units and mobile homes) had grown to an estimated 4,550 units.

The City of Visalia's housing stock, 74 percent single-family units and 26 percent multi-family units and mobile homes, had grown to an estimated 32,230 units.

Single-family homes are interspersed with townhouses to the east project limit, from L Street to the city limits south of Avenue 408 in Dinuba. Between the cities of Dinuba and Visalia, approximately 30 rural homes lie next to Road 80. Road 80 is bordered primarily by light industrial, commercial, and agricultural uses in Visalia. Two single-family homes lie next to Road 80 in Visalia: one on the east side of Road 80, about two blocks south of Avenue 304, and the other on the west side of Road 80, about three blocks south of Avenue 304.

Dinuba is experiencing residential, commercial, and industrial growth. About 50 to 75 new homes have been built annually in the city in recent years; this trend is expected to continue. Two large warehouse/distribution centers were constructed in the southwestern quadrant of the city. The city is also considering annexing the area west of Road 80 between the current city limits and Avenue 408 (Kamm Avenue) to allow for development in the southwestern quadrant of the city. Annual population growth in Dinuba is expected to average about 2.7 percent between 2000 and 2020. To accommodate this growth, residential development is expected to occur in the northeast, southeast, and northwest quadrants of the city, adjacent to existing development.

The portion of Road 80 study area in Visalia is experiencing active industrial/warehouse development, including current and recent development of several distribution facilities along Road 80 (Plaza Drive). The amount of land available for industrial/warehouse development along this corridor will be expanded as the city annexes land north to its urban limit.

Land use planning in the study area is governed by policies of the general plans for the City of Dinuba, City of Visalia, and the County of Tulare.

Impacts

Widening Road 80 through Dinuba could increase the distance between the portions of the community lying east and west. However, this effect would be minor because the busy roadway already separates these areas, and the mixed residential/commercial character of the community east of Road 80 is substantially different from the commercial character of the community west of Road 80.

Residential relocation would occur in Dinuba and on Road 80 (Alta Avenue) between Avenues 400 and 384. While the displacement would be temporarily disruptive to this

residential neighborhood, no long-term effects on community cohesion would result because the proposed project would not isolate or divide the neighborhoods.

Avoidance, Minimization and/or Mitigation Measures

No impacts would be expected to community character and cohesion, so no mitigation is required.

2.1.4.2 Relocations

Regulatory Setting

The Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (as amended) and Title 49 Code of Federal Regulations Part 24 ensure that persons displaced as a result of a transportation project are treated fairly, consistently, and equitably so that such persons will not suffer disproportionate injuries as a result of projects designed for the benefit of the public as a whole.

All relocation services and benefits are administered without regard to race, color, national origin, or sex in compliance with Title VI of the Civil Rights Act (42 United States Code 2000d, et seq).

Affected Environment

Road 80 is primarily a two-lane rural highway. The project is located in Dinuba, unincorporated Tulare County, and Visalia. The project begins at Avenue 416 in Dinuba, and ends at Airport Drive in Visalia, immediately south of the Road 80/State Route 198 interchange.

The areas north and south of the study area in Dinuba and Visalia are primarily urbanized with commercial and industrial uses, although a few residences lie along Road 80 in Dinuba. The areas adjacent to the east and west of the project limits in the unincorporated Tulare County portion are dominated by open space and agricultural uses, including deciduous trees, field crops, grains, pasture, vineyards, dairies, and native vegetation. Single-family residences are dispersed throughout the agricultural areas.

Impacts

Eight properties along Road 80 would be directly affected by the proposed project. Two single-family residences, one multi-family unit (duplex), and five businesses would potentially be displaced and relocated as a result of the proposed project. The two single-family residences are located in the incorporated area of Tulare County. The five businesses and the multi-family unit are located in the urban development boundary of

Dinuba. Several of these businesses would be displaced as a result of the intersections being modified. The proposed project would also eliminate parking spaces and outside display areas associated with businesses adjacent to the existing roadway.

The proposed project would require acquiring existing land adjacent to Road 80 that is now used for agricultural activities, landscaping for residential or commercial properties, and driveway or buffer area for several single-family homes. A windmill at a dairy northeast of Cottonwood Creek would be displaced and would need to be relocated. In addition, three irrigation water-pumping facilities along the west side of the existing roadway would be displaced. Two of these pumping facilities sit on a large parcel that runs north and south of Avenue 336; the other pumping facility sits on a parcel north of Avenue 320.

Right-of-way acquisitions would also acquire narrow strips of land along the fronts of numerous business properties. Four billboard signs would also need to be relocated. The signs now stand on three separate parcels adjacent to Road 80. The signs could likely be relocated to the remaining portions of the parcels. Additionally, the well south of Avenue 336 is in the plume of contamination from the Visalia Landfill and must be abandoned and not relocated in the plume.

Avoidance, Minimization and/or Mitigation Measures

Based upon the existing real estate market conditions, displaced households and residents could be relocated to replacement housing that is similar in location, cost and character to the homes they leave behind.

Commercial businesses typically have a broad customer base and could operate effectively in another area of Dinuba. The relocation resource area for nonresidential relocations was based on all areas zoned for these types of commercial activities in Dinuba. Commercial uses are primarily located in the southwestern portion of the city. Further expansion of the existing warehouse/distribution uses is expected in this area based on real estate market conditions, it is estimated that all commercial displacements could be relocated within Dinuba.

Tulare County will prepare and implement a Relocation Plan that conforms to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (See Appendix E).

Specifically, relocation assistance payments and counseling will be provided to persons and businesses in accordance with the Federal Uniform Relocation Assistance and Real

Properties Acquisition Policy Act of 1970, as amended in 1987, to ensure adequate relocation and a decent, safe, and sanitary home for displaced residents. This act provides for uniform and equitable treatment of persons displaced from their homes, businesses, nonprofit associations, or farms by federal and federally assisted programs, and it establishes uniform and equitable land acquisition policies. All eligible displacees will be entitled to moving expenses. All benefits and services will be provided equitably to all residential and business relocatees without regard to ethnicity, religion, age, national origins, or disability as specified under Title VI of the Civil Rights Act of 1964.

Each business or household would be handled individually to ensure the needs of each displacee are met and the relocation is accomplished smoothly and without undue hardship. Displacees will be notified of services available, such as written statement of entitlement, completion of necessary forms, calculation of monetary entitlement, assistance in locating new property, required inspections, assistance in closing escrow, setting up rental agreements, and general advisory assistance about the relocation program. Those displaced are assisted in finding adequate replacement properties and in covering certain expenses involved in finding, purchasing or renting and moving to a new location.

Owners of residences on property which will be within 25 feet of the proposed right of way after the widening project will be given the option to either be paid fair market value for their property plus relocation expenses or to be compensated for the loss of a portion of their property plus severance damages to their property, if that cost is less than or equal to the difference between the fair market value of the property before the project and after the project.

Those businesses, which were identified as losing portions of their customer parking area, are located on large parcels that appear to have adequate space onsite to relocate parking. One business would lose five spaces; another, four. The largest loss would be 10 spaces. The loss of display area for two of the businesses has the potential to affect viability of the business and therefore may result in the indirect displacement of the business. Compensation for the potential loss of income would be handled during the right-of-way process.

A provision has been made to relocate the well on the west side of Road 80 south of Avenue 336 to the Avenue 336 alignment, which would be outside of the plume of contamination. The owner of the well will be compensated for the cost to relocate this well outside of the plume of contamination and for any future costs for increased

pumping work. An additional water source has been made available to the property owner from a well on the landfill property on the east side of Road 80 if the yield from this replacement well is not sufficient.

2.1.4.3 Environmental Justice

Regulatory Setting

All projects involving a federal action (funding, permit, or land) must comply with Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, signed by President Bill Clinton on February 11, 1994. This order directs federal agencies to take the appropriate and necessary steps to identify and address disproportionately high and adverse effects of federal projects on the health or environment of minority and low-income populations to the greatest extent practicable and permitted by law. Low income is defined based on the Department of Health and Human Services poverty guidelines. For 2004, this was $18,850 annually for a family of four.

All considerations under Title VI of the Civil Rights Act of 1964 and related statutes have also been included in this project.

Affected Environment

To comply with Executive Order 12898, United States Census demographic data was analyzed at a geographic scale in proportion with the potential affected project area. The environmental justice assessment focused on an examination of the five Census tracts that surround the project site and compose the study area (see Table 2.2). The study area is substantially larger than the area directly affected by project construction, right-of-way acquisitions, and displacements. However, the analysis focuses primarily on the portion of the study area within the project limits. Income and ethnicity variables for the combined Census tracts were compared to Tulare County's income and ethnic composition to determine whether the Census tracts had a relatively large low-income or minority composition.

The Census tracts include:

- Census Tract 5.01, 5.02 – encompasses Dinuba and Tulare County
- Census Tract 3.98, 3.02, 9 – encompasses Tulare County
- Census Tract 10.01 – encompasses Visalia and Tulare County

Table 2.2 Race and Ethnicity Data of Tulare County, Dinuba, Visalia, and the Study Area

Area	Total Population	White Percentage (ind)	Black/ African American Percentage (ind)	Asian or Pacific Islander Percentage (ind)	Hispanic Percentage (ind)	American Indian and other Percentage (ind)
Census Tract 5.01	6,456	10.3 (664)	0.1 (5)	0.9 (55)	88.0 (5,679)	0.8 (53)
Census Tract 5.02	2,817	17.6 (495)	0.1 (4)	2.4 (68)	78.3 (2,206)	1.6 (44)
Census Tract 3.01	5,914	48.7(2,879)	0.4(22)	2.5 (149)	46.1 (2,725)	2.4 (139)
Census Tract 3.02	3,356	20.8 (697)	0.1 (4)	0.6 (20)	77.0 (2,606)	0.9 (29)
Census Tract 9	6,749	36.2 (2,443)	3.3 (224)	1.0 (68)	57.3 (3,867)	2.2 (147)
Census Tract 10.03	6,512	38.4 (2,502)	1.4 (88)	5.3 (344)	52.3 (3,406)	2.6 (172)
Study Area Total	31,804	30.4 (9,680)	1.1 (347)	2.2 (704)	64.4 (20,489)	1.8 (584)
Tulare County	368,021	41.8 (153,916)	1.4 (5,122)	3.2 (11,714)	50.8 (186,846)	2.8 (10,423)
City of Dinuba	16,844	20.6 (3,471)	0.2 (30)	2.5 (419)	75.1 (12,647)	1.6 (277)
City of Visalia	91,565	54.9 (50,269)	1.7 (1,558)	5.0 (4,551)	35.6 (32,619)	2.8 (2,568)

Source: United States Department of Commerce, Bureau of the Census 2000

Table 2.3 2000 Household and Income Characteristics of Tulare County, Visalia, Dinuba, and Study Area

Area	Total Households	Persons per Household	Family Households % (total)	Median Household Yearly Income
Census Tract 5.01	1,565	4.1	82 (1,276)	$19,912
Census Tract 5.02	611	4.3	91 (555)	$19,050
Census Tract 3.01	1,799	3.2	83 (1,502)	$30,540
Census Tract 3.02	791	4.2	87 (687)	$16,100
Census Tract 9	1,560	3.6	84 (1,316)	$21,520
Census Tract 10.03	1,859	3.5	86 (1,592)	$25,030
Study Area	8,185	3.8	85 (6,928)	$23,390
Tulare County	110,385	3.3	79 (87,061)	$30,317
City of Dinuba	4,493	3.7	83 (3,724)	$22,030
City of Visalia	30,883	2.9	74 (22,901)	$36,027

Source: United States Department of Commerce, Bureau of the Census 1999 and 2000

Impacts

An evaluation of 2000 U.S. Census data indicates the study area contains a relatively high percentage of people of Hispanic origin, particularly in the portion of the study area in Dinuba. Persons of Hispanic origin account for a substantial percentage of the population

in all five Census tracts. Based on the 2000 U.S. Census data, the study area has a population that is approximately 64.4 percent Hispanic, 30.4 percent white, and five percent other ethnic groups.

One multi-family residential unit and two single-family residences would be displaced as a result of the project. The multi-family unit is in Dinuba in Census Tract 5.01, which has a population that is approximately 88.0 percent Hispanic, 10.3 white, and 0.6 percent other ethnic groups. This tract also has a median annual household income of $19,912. The two single-family displacements are located within the unincorporated area of Tulare County in Census Tract 3.01. This tract has a population that is approximately 48.7 percent Hispanic, 46.1 percent white, and 1.7 percent other ethnic groups. Its median annual household income is approximately $30,540. According to Census data, the only tract with a median household income lower than the poverty level as defined by the Department of Health and Human Services is Census Tract 3.02. No displacements were identified within this tract.

Widening the roadway would result in short-term construction impacts (noise and air quality) and permanent impacts (vehicle noise) caused by moving the roadway slightly closer to existing homes. However, these impacts would be shared proportionally by all persons living next to Road 80 between Dinuba and Visalia.

Avoidance, Minimization and/or Mitigation Measures

No minority or low-income populations have been identified that would be adversely affected by the proposed project as determined above. Therefore, this project is not subject to the provisions of Executive Order 12898.

Based on the above discussion and analysis, the Build Alternative would not cause disproportionately high and adverse effects on any minority or low-income populations as per Executive Order 12898 regarding environmental justice.

2.1.5 Utilities/Emergency Services

The information presented in this section is based on the community impact assessment prepared for the proposed project and contact with public service providers.

This section describes police and fire protection services and emergency response services in the project area. Educational facilities, water, wastewater, and solid waste are not discussed in this document because these facilities would not be affected by the build alternative. Water in regards to hydrology is discussed in sections 2.2.1 and 2.2.2.

Affected Environment

The project area contains Southern California Gas Company underground gas lines, Pacific Gas and Electric and Southern California Edison overhead power lines, and GST Telecommunications underground fiber optic lines. Gas lines and Alta Irrigation District facilities lie within the Road 80 right-of-way in the cities of Dinuba and Visalia. Power lines and fiber-optic lines are parallel to the existing roadway in most of the project area.

The City of Dinuba Police Department, the Tulare County Sheriff, and the City of Visalia Police Department provide police protection services in the project area. The Dinuba Police Department, which serves the study area in the City of Dinuba, is located near the Road 80/Uruapan Street intersection. The Tulare County Sheriff's Department provides law enforcement services from its office at 379 North 3rd Street in the City of Visalia, about 4 miles east of the Road 80/State Route 198 interchange. The offices of the Visalia Police Department are located at 303 South Johnson Street in Visalia, approximately 5 miles east of the southern end of the project area.

The City of Dinuba Fire Department, the Tulare County Fire Department, and City of Visalia Fire Department provide fire protection services in the study area. The fire department in Dinuba responds to calls from its facility at Tulare Street and I Street, about half a mile from Road 80. The fire station at 40404 Road 80, south of Dinuba, provides service for unincorporated Tulare County. Fire response for the City of Visalia is provided from Station 3 at the Visalia Municipal Airport, which is south of the southern end of Road 80 in the study area.

Hospital services are provided by the Sierra Kings Hospital in Reedley and by the Kaweah Delta District Hospital in downtown Visalia.

Impacts

Construction of the proposed project would require relocating existing Southern California Gas Company underground gas lines, Pacific Gas and Electric and Southern California Edison overhead power lines, GST Telecommunications underground fiber-optic lines, and Alta Irrigation structures. The affected lines would be relocated outside of the construction boundaries. No disruption to service is anticipated.

The proposed project would not increase population or commercial activity in the project area. Therefore, the proposed project would not generally affect the demand for services. Furthermore, the Visalia and Dinuba police departments have indicated that, given their current resources, they would be able to provide service to the portions of the project area within their jurisdictions.

Closing the Road 80/Q Street and Road 80/P Street intersections in Dinuba could have minor effects on emergency-response times to areas east of Road 80. However, alternative routes to the neighborhoods served by Q Street (O Street and Kern Street) and P Street would ensure access from Road 80 to these neighborhoods. These route changes would neither substantially affect police, fire, and emergency vehicle response times to neighborhoods east of Road 80 nor affect school bus routes. However, the construction could delay response times if service providers are not notified adequately about road closures and construction schedules. When the proposed project is completed, response time may be improved along Road 80 because of the additional traffic lanes.

Avoidance, Minimization and/or Mitigation Measures

Tulare County would ensure that emergency service providers (police, fire, and ambulance services) would be notified one month before construction begins and provided with a transportation coordination plan identifying road closures and construction schedules.

2.1.6 Traffic and Transportation/Pedestrian and Bicycle Facilities

Regulatory Setting

The Federal Highway Administration directs that full consideration should be given to the safe accommodation of pedestrians and bicyclists during the development of federal-aid highway projects (23 Code of Federal Regulations 652). The Federal Highway Administration further directs that the special needs of the elderly and the disabled must be considered in all federal-aid projects that include pedestrian facilities. When current or anticipated pedestrian and/or bicycle traffic presents a potential conflict with motor vehicle traffic, every effort must be made to minimize the detrimental effects on all highway users who share the facility.

The Federal Highway Administration is committed to carrying out the 1990 Americans with Disabilities Act by building transportation facilities that provide equal access for all persons. The same degree of convenience, accessibility, and safety available to the general public will be provided to persons with disabilities.

Affected Environment

Most of the roadway along Road 80 lacks sidewalk, curbs and gutters. Roads intersecting Road 80 are typically classified as two-lane roadways. North of Avenue 304, Road 80 is a rural highway; south of Avenue 304, it is designated an arterial in the Visalia General Plan.

Road 80 is a designated truck route from Avenue 304 to State Route 198. The road is an interregional connection between the cities of Visalia and Dinuba, providing access to surrounding commercial and industrial uses, and access to State Route 198. Consequently, the road serves heavy truck traffic that impairs the free-flow traffic speed along uncontrolled segments of Road 80.

Road 80 is currently proposed as a Class III bike route on the City of Dinuba's preliminary Bike Plan, and the City of Visalia's draft Bikeway Plan. Within the County of Tulare, Road 80 is classified as a Class III bike route, which is consistent with the Tulare County Association of Governments' plan. The proposed widening of Road 80 would be built with sufficient shoulders for a Class III bike lane.

Impacts

Road closures and the creation of cul-de-sacs would result in changes to existing circulation patterns in the Dinuba neighborhoods east of Road 80. The closure of Fresno Street and Q Street at Road 80 would result in minor changes in driving patterns for nearby residents. Access to Road 80 would be provided by nearby Kern Street and O Street, respectively.

Construction of a center median would turn Road 80 into a divided roadway. Vehicles would be limited to making right turns only, resulting in some amount of out-of-direction travel. However, the project would improve safety by eliminating left turns, reducing the number of traffic conflict points. Right turns into and out of driveways along Road 80 would still be permitted.

The proposed alignment crosses railroad tracks south of Avenue 416 and north of Avenue 304. These railroad crossings are at grade and, when trains are present, interrupt traffic flow. The project would result in improvements to the tracks south of Avenue 416 and potentially to the railroad crossing north of Avenue 304. The project would not change the frequency of trains or the number of vehicles crossing the railroad tracks.

The proposed project would result in temporary access and circulation changes along the Road 80 corridor during the construction period. Construction-related activities would result in temporary changes in access to homes and businesses along Road 80 between Avenue 416 and the Road 80/State Route 198 interchange overcrossing. Circulation and access would also be affected at each of the Road 80 intersections along the project corridor.

The Road 80/State Route 198 interchange's eastbound and westbound ramps would be closed for short periods during the construction period, temporarily altering circulation near the interchange and reducing access to the project vicinity.

Implementation of the proposed project would improve level of service at intersections along Road 80 in the project area in the intermediate and long-term future when compared to the same periods without the proposed project. The proposed project would alleviate congestion and improve access in the vicinity of the Road 80/State Route 198 interchange. Widening the roadway would provide a second lane to allow passing that would reduce safety hazards associated with slower-moving farm equipment and heavy truck traffic, which impair the existing free-flow speed of traffic along the roadway.

New traffic signals at uncontrolled or partially controlled intersections may create a localized source of air pollution, particularly carbon monoxide, as vehicles idle and accelerate to resume normal traffic speed.

Avoidance, Minimization and/or Mitigation Measures

Tulare County would prepare a transportation coordination plan before construction begins and would implement the plan during the construction phase of the project. The plan would include the following measures designed to minimize adverse effects on access and circulation along the project corridor:

- To the extent possible, avoid blocking or limiting access to residences near the roadway intersections with Road 80 and along the Road 80 corridor during construction. Contact and advise residents concerning any potential access or parking impacts before construction activities begin.

- Provide temporary ramps or detours if ramps are closed during construction for extensive periods during normal business hours.

- Give emergency service providers (police, fire, and ambulance services) adequate notice before any freeway ramps or streets are closed.

- Obtain a permit for all modifications of the existing railroad crossings from the Public Utilities Commission.

- Railroad crossing upgrades will be designed to current standards, providing the optimum improvement in safety and convenience.

- Schedule an onsite "diagnostic" review meeting with the California Public Utilities Commission staff during the early stages of the final design phase.

Intersections for which new traffic signals are warranted will be modeled and analyzed to ensure that the traffic signal does not result in adverse air quality impacts in the immediate area around the intersection. Traffic signals can be warranted because there is significant delay and can improve air quality conditions at the intersection.

Tulare County would ensure that the final plans and specifications of the proposed project include the construction of median openings at a maximum interval of 0.5 mile that would allow left and U turns by residents and businesses along Road 80.

2.1.7 Visual/Aesthetics

Regulatory Setting

The National Environmental Policy Act of 1969 as amended establishes that the federal government use all practicable means to ensure all Americans safe, healthful, productive, and *aesthetically* and culturally pleasing surroundings [42 United States Code 4331(b)(2)]. To further emphasize this point, the Federal Highway Administration in its implementation of National Environmental Policy Act [23 United States Code 109(h)] directs that final decisions regarding projects are to be made in the best overall public interest, taking into account adverse environmental impacts, including among others, the destruction or disruption of aesthetic values.

Likewise, the California Environmental Quality Act establishes that it is the policy of the state to take all action necessary to provide the people of the state "with…enjoyment of aesthetic, natural, scenic and historic environmental qualities" [California Public Resources Code Section 21001(b)].

Affected Environment

A Visual Resources Assessment was prepared in February 2003. The report used the Federal Highway Administration's *Visual Impact Assessment for Highway Projects* as the method for assessing visual resources and impacts in the project area.

The proposed project lies in Dinuba, unincorporated Tulare County, and Visalia. In the project area, Road 80 is mostly a two-lane rural highway. The northern end of the project area is in a portion of Dinuba that supports commercial, industrial, and residential uses.

The unincorporated area passes through open, rural land used primarily for agriculture. In this segment is a row of 50 palm trees that runs parallel to the road. These trees are a

distinctive visual feature although they do not blend with the surrounding environment. Aside from these trees, views are primarily of rural residential landscaping and open space. The scattered rural residences along this segment are set back from the roadway. Views from the road are of open space with little landscaping.

This segment intersects the three major waterways in the project area: Cottonwood Creek, Elbow Creek, and St. Johns River. Cottonwood Creek is barely visible from the roadway because concrete and metal guardrails block views of the waterway; vegetation in and around the creek is mostly groundcover. Views of Elbow Creek are also minimal because of the metal guardrails; this creek has some trees and shrubs growing in and alongside the water near the road. At the bridge over St. Johns River, the guardrails permit broad views of the river and riparian vegetation that is still in a somewhat native state.

At Avenue 304, Road 80 enters Visalia. The southern terminus of the project area is in a portion of Visalia that includes commercial, industrial, residential, agricultural, and recreational areas as well as a regional airport. Little native vegetation is evident in the area. Overall, the region possesses a moderate rural character mixed with elements of intensive development.

The overall project corridor is similar in its visual character to the regional setting described above. Most views from Road 80 are of wide stretches of agricultural fields with occasional rural residences and their associated landscaping. Views in the cities of Dinuba and Visalia are of urban development. The Road 80/State Road 198 interchange is a lighted, developed freeway interchange characteristic of an urban area. From the eastbound ramps, viewers coming from the north can see distant views of riparian vegetation along Road 80. Southeast of the interchange is the Plaza Park golf course, but because of the elevated grade of the interchange, the park landscaping is not visible from the interchange, except directly ahead down the roadway. The Holiday Inn on the southwest corner of the interchange is well below the road grade, but it is visible from the interchange because of its height and signage. From the Holiday Inn, viewers at ground level have a view of the vegetated berms on which the eastbound off-ramp and the last block of Road 80 are built.

Sources of light and glare in the project area vary as Road 80 passes through different land uses. Vehicle headlamps are a continuous source of light along the roadway. Light from vehicles varies with traffic patterns and is most prominent in the early evening hours, although trucks may travel on the roadway at all hours.

At the north and south ends of the project area, Dinuba and Visalia are urban communities that produce light and glare from streetlights, stop lights, signage, and structural lighting. The surrounding residences and farming operations also contribute to lighting along Road 80, but are generally surrounded by vegetation that diffuses substantial portions of light.

The Area General Plan for Tulare County identifies Road 80 from Avenue 304 to the City of Dinuba as part of a county scenic roadway system. However, Tulare County has not adopted ordinances to protect scenic views and resources along these roads. Road 80 is not designated as a scenic highway in California's scenic highway program. However, State Route 198 from State Route 99 to the Sequoia National Park line is currently eligible to be in the state's scenic highway program.

Impacts

Views within the developed area of Dinuba would remain relatively similar to the existing views for roadway users and neighbors. Commercial, industrial, and residential structures would retain views of a suburban roadway. Views from many businesses and residences would be affected to some degree by the proposed project. However, most of theses structures have low visual sensitivity to the project area because they are already located in a developed suburban area along a major arterial roadway, and the road widening would not be near enough to the structures to affect views substantially. The views from one structure—a residence—would be affected substantially because the roadway would be brought to within 25 feet of the structure. However, views within this area would remain unchanged by the proposed project in terms of overall vividness, intactness, and unity.

Farther south toward the more rural environment, some broader views of open space (vacant land and agricultural fields) are possible, in addition to views of rural residences and their landscaping and scattered commercial structures. Several residences would be affected because the roadway would be brought closer to the structures. But because none of these residences would be substantially nearer to the improved roadway than they are to the existing one (within 25 feet), these residential roadway neighbors are considered to have moderate visual sensitivity to the project area. The overall visual character is low to moderate in vividness, intactness, and unity. Although the roadway would intrude somewhat on this rural character, the intrusion is not substantially greater than that already present. Views in this area would remain unchanged by the proposed action in terms of vividness, intactness, and unity.

Within the southern portion, transitioning from relatively rural character to a more suburban highway environment, views would remain similar to existing conditions. The commercial and residential roadway neighbors are considered to have low visual sensitivity to the project area because they are currently located along a major arterial roadway in a developed area. Commercial and residential uses would lose varying width of right-of-way and would have closer views of Road 80. Therefore, these viewers are considered to have moderate sensitivity to the project area. Views in terms of vividness, intactness, and unity would remain unchanged.

Roadway users and neighbors would be exposed to additional sources of light and glare because of increased proximity to the roadway. Light and glare effects on most residences in the project area would not be adverse because the residences are generally surrounded by vegetation that serves to diffuse and substantially screen light.

The project area's existing views would be disrupted temporarily by construction activities, but would remain consistent in vividness, intactness, and unity upon completion of the proposed project. Therefore, the proposed project would not create an adverse effect on the visual resources and visual quality of the project area.

Avoidance, Minimization and/or Mitigation Measures

Keeping roadside landscaping would reduce the impact of new sources of light and glare. With incorporation of this design feature, impacts related to light and glare would not be considered substantial.

As proposed, the retention basin would have a secondary use as a park, recreation field and amphitheater during the dry seasons of the year. Landscaping and other improvements in the retention basin for these secondary purposes would be installed and constructed by the City of Dinuba, to restore an attractive appearance to the property.

2.1.8 Cultural Resources

Regulatory Setting

"Cultural resources" as used in this document refers to historic and archaeological resources. The primary federal laws dealing with historic and archaeological resources include:

The National Historic Preservation Act, as amended, sets forth national policy and procedures regarding "historic properties"—that is, districts, sites, buildings, structures and objects included in or eligible for the National Register of Historic Places. Section

106 of National Historic Preservation Act requires federal agencies to consider the effects of their undertakings on such properties, following regulations issued by the Advisory Council on Historic Preservation (36 Code of Federal Regulations 800).

The Archaeological Resources Protection Act protects archaeological resources on land owned by the United States or Indian tribes. This act requires that a permit be obtained before any excavation of an archaeological resource on such land can take place.

Cultural resources may also be protected by Section 4(f) of the U.S. Department of Transportation Act. Please see Appendix B for additional information.

Under California law, the California Environmental Quality Act and Public Resources Code Section 5024.1, which established the California Register of Historic Places, protect cultural resources. Section 5024.5 requires state agencies to provide notice to and to confer with the State Historic Preservation Officer before altering, transferring, relocating, or demolishing state-owned historic resources.

Affected Environment

A Historical Properties Survey Report and Finding of Effect documentation were prepared for the proposed project. The Area of Potential Effect for historic resources includes all parcels within and adjacent to the project area. The Area of Potential Effect for archaeological resources is based on the project footprint and the total right-of-way width (existing and required) throughout the study area.

A record search for cultural resources in the study area was conducted at the Southern San Joaquin Valley Information Center at California State University, Bakersfield, on June 14, 2000, and September 20, 2002. Sources consulted were listings for the National Register of Historic Places, California Inventory of Historic Places, California Points of Historic Interest, and California State Landmarks. Directories of historic properties for the Visalia and Dinuba areas were also consulted.

Additional research was conducted at the following places:

- Dinuba Branch of the Tulare County Free Library
- Annie Mitchell Local History Room at the Visalia Branch of the Tulare County Free Library
- Tulare County Resource Management Agency, Assessor’s Office, and Recorder’s Office in the City of Visalia
- California State Library in Sacramento

- Caltrans Library in Sacramento
- California Department of Transportation Division of Bridges and Structures Library in Sacramento

Correspondence was initiated with the following Native American groups, historical organizations, and preservation planning departments requesting input or comments on the potential for the proposed action to affect cultural resources:

- Santa Rosa Rancheria, Tule River Indian Tribe, and Kern Valley Indian Community
- Alta District and Tulare County Historical Society
- Tulare County Museum
- Community Development Department, City of Dinuba

The only input received from the groups and organizations listed above was from Mr. Jim Louis of the Santa Rosa Rancheria, who requested that the proposed action have a Native American monitor during construction.

Cultural resources field surveys for archaeological sites, historic resources, and historic architectural resources were conducted in the project area in May and June 2000, and August and October 2002.

Forty-three of the 96 properties there were built before 1955. Those were formally evaluated. Only one building appeared to meet the criteria for listing in the National Register of Historic Places. No archaeological resources were identified in or adjacent to the Area of Potential Effect for the proposed project.

Impacts

The Wylie Mansion property at 655 South Alta Avenue appears eligible for the National Register of Historic Places. An encroachment of 10 feet onto the property is required for the road widening. However, the widening would not adversely affect the building itself, which is the extent of the boundaries that apply to the building's eligibility. The parcel, consisting mainly of a modern parking lot, no longer retains integrity to be associated with the eligible features of the property. Therefore, the proposed project would have no adverse effect on the eligible property.

In a letter dated March 1, 2001 (see Appendix G), the State Historic Preservation Officer concurred with the Federal Highway Administration's determination that the Wylie Mansion appears eligible for inclusion on the National Register of Historic Places and that a Finding of Effect document would need to be submitted. The State Historic

Preservation Officer subsequently concurred on the Finding of No Adverse Effect documentation that supports Federal Highway Administration's determination that the proposed project would have no adverse effect on the Wylie Mansion (Appendix H).

Avoidance, Minimization and/or Mitigation Measures

Project effects to cultural resources are not anticipated. However, if human remains are discovered, State Health and Safety Code Section 7050.5 states that disturbances and activities shall cease. The county coroner must be notified of the find immediately so that he or she can determine the origin.

2.2 Physical Environment

2.2.1 Hydrology and Floodplain

Regulatory Setting

Executive Order 11988 (Floodplain Management) directs all federal agencies to refrain from conducting, supporting, or allowing actions in floodplains unless it is the only practicable alternative. The Federal Highway Administration requirements for compliance are outlined in 23 Code of Federal Regulations 650 Subpart A.

To comply, the following must be analyzed:

- The practicability of alternatives to any longitudinal encroachments
- Risks of the action
- Impacts on natural and beneficial floodplain values
- Support of incompatible floodplain development
- Measures to minimize floodplain impacts and to preserve/restore any beneficial floodplain values affected by the project

The 100-year floodplain is defined as "the area subject to flooding by the flood or tide having a one percent chance of being exceeded in any given year." An encroachment is defined as "an action within the limits of the 100-year floodplain."

Affected Environment

The proposed Road 80 Widening project crosses the designated floodway of Cottonwood Creek and St. Johns River. These floodways were designated by the State of California Department of Water Resources, Division of Flood Management, Reclamation Board in 1896, along with maps prepared by the Federal Emergency Management Agency. The

two designated floodways merge a mile and a half upstream of the project. These contiguous floodways and floodplains occupy about 4 miles of the total 16-mile-long project on Road 80 between Avenue 328 and Avenue 360 and the Cottonwood Creek crossing of Avenue 360 about 1.5 miles east of Road 80.

Cottonwood Creek and St. Johns River are in the Reclamation Board's Zone A and Zone B 100-year floodplains. The width of Zone A is 900 feet at Cottonwood Creek and 1,050 feet at St. Johns River. Zone B extends 4,000 feet north of Cottonwood Creek to Avenue 360; 5,050 feet between Cottonwood Creek and St. Johns River; and 10,500 feet south of St. Johns River. The Reclamation Board defines floodwaters as more than 1 foot deep for Zone A and less than 1 foot deep for Zone B.

Road 80 floods outside the floodplain north of Avenue 360 once every two to three years. To decease this occurrence, the profile of Road 80 north of Avenue 360 will be raised about one and half feet. The floodwaters originate from a merger of Cottonwood Creek and Sand Creek within the floodplain, north and east of Avenue 360 and east of Road 80. Private development and land grading in the floodplain have resulted in redirection of floodwater, affecting properties outside the floodplain.

Other portions of the project area are subject to shallow sheet flooding and local runoff, but are also outside of the designated floodplain. These areas include shallow flooding on Road 80 in the City of Dinuba as a result of an undersized lift pump and storm drain system. Elsewhere in the City of Visalia and the County of Tulare, the local drainage problems are minor or are adequately addressed by existing cross culverts or storm drain systems.

Impacts

The project would widen a two-lane road to a divided four-lane road on about the same alignment through the Cottonwood Creek and St. Johns River designated floodways. The pavement would increase from its current width of about 32 feet to 90 feet with a raised median. Several bridges would also be widened.

The road-widening project would add an additional 27 acres of impermeable surface in the St. Johns River and Cottonwood Creek floodplains. The additional runoff from these impermeable surfaces would be negligible relative to the timing and quantity of water potentially in the floodplain. The road profile, bridge lengths and channel cross-sections would remain the same through the floodways. The road profile would be raised outside of the floodway to prevent that portion of the roadway from being flooded more often than once in 10 years (by floodwaters that have been diverted from the floodway by

alterations in the floodplain by unrelated agricultural uses upstream of the project). Additional culverts would be installed and roadside ditches constructed to compensate for the raised road profile. These improvements would have a negligible effect on the impacts of the 100-year flood event. The proposed project would not constitute a significant floodplain encroachment as defined in 23 Code of Federal Regulations, Section 650.150 (q) for the following reasons:

- The project would not create significant potential for interruption or termination of a transportation facility that is needed by emergency vehicles or provides a community's only evacuation route.
- The project would not create a longitudinal encroachment on the base floodplain.
- The project would not facilitate or enable incompatible development in the floodplain as a result of the project.
- The project would not have significant risk associated with it.
- The project would not have a significant adverse impact on natural and beneficial floodplain values.

Avoidance, Minimization and/or Mitigation Measures

Additional culverts would be installed under Avenue 360 about 1.5 miles east of Road 80. Avenue 360 at this location functions as a low-water crossing, but is one of the impediments to flow in the floodplain. The purpose of these additional culverts is to convey more storm water to the south side of Avenue 360 in the floodplain and match the capacity of Alta Irrigation District's control structure on Button Ditch and the constricted channel of Cottonwood Creek south of Avenue 360. The effect of these additional culverts in a 100-year flood would be negligible.

To help relieve the flooding at the intersection of Road 80 and Avenue 360, roadside ditches on the east and west sides of Road 80 south of Avenue 360 may be constructed to return floodwaters from that intersection to the Cottonwood Creek floodplain.

Three bridges in the St. Johns River and Cottonwood Creek floodplain would be widened. The Cottonwood Creek branch box culvert, along with several other existing circular culverts, would be extended to accommodate the widening of Road 80. To compensate for the additional friction losses resulting from widening the bridges in the Cottonwood Creek floodplain, additional culverts under Road 80 near the Cottonwood Creek Bridge with the equivalent area of 35 square feet of flow capacity will be provided.

Diversions from the floodplain by agricultural activities unrelated to the project have resulted in reduced flows to the bridges and culverts in the floodplain so that the bridges and culverts do not experience the maximum flow for which they were designed. As a result of these diversions from the floodplain, Road 80 north of Avenue 360 floods more than once in 10 years. To decrease this occurrence, the profile of Road 80 north of Avenue 360 would be raised by about half a foot. Additional culverts with inlet control set to the existing profile would be installed under Road 80 to preserve the existing sheet flow pattern so properties upstream and downstream of Road 80 would not be affected by the raised profile. The location of the raised profile and additional culverts on Road 80 would be outside the Reclamation Board's 1986 designated floodway and would not affect the original floodway.

The City of Dinuba purchased 62.5 acres for a detention basin located 1,200 feet west of Road 80 between Avenue 408 and Avenue 412 (Sierra Way) prior to the Road 80 widening project as a separate project. The detention basin will be constructed prior to the Road 80 widening project and is needed to accept and hold storm water runoff from the City of Dinuba, including runoff from that portion of Road 80 located within the City of Dinuba before and after it is widened. The city currently discharges urban runoff from Road 80 and a portion of the city east of Road 80 into Alta Irrigation District's Dinuba Town Ditch. The detention basin is not being built and funded as a part of the Road 80 widening project, but is being built with local funds prior to the project to replace direct discharge of the urban runoff to the Dinuba Town Ditch, which is mainly intended for surface water delivery for farm irrigation. Larger storm drain pipelines, pump stations, inlets and manholes would be constructed to convey water to the new detention basin from existing sources and the road-widening project.

The minor drainage issues outside of the designated floodway will be addressed by installation of minor drainage appurtenances including cross culverts, down drains, median drains, dike, curb and gutter, drainage inlets, continuous gutters, and manholes.

2.2.2 Water Quality and Storm Water Runoff

Regulatory Setting

The primary federal law regulating Water Quality is the Clean Water Act. Section 401 of the act requires a water quality certification from the State Board or Regional Board when a project does the following:

- requires a federal license or permit (a Section 404 permit is the most common federal permit for Caltrans projects)

- results in a discharge to waters of the United States

Section 402 of the act establishes the National Pollutant Discharge Elimination System permit system for the discharge of any pollutant (except dredge or fill material) into waters of the United States. To ensure compliance with Clean Water Act Section 402, the State Water Resources Control Board has issued a National Pollution Discharge Elimination System Statewide Storm Water Permit to regulate storm water discharges.

The permit regulates storm water discharges from the California Department of Transportation right-of-way both during and after construction, as well as from existing facilities and operations.

In addition, the State Water Regional Control Board has issued a construction general permit for most construction activities covering more than 1 acre that are part of a Common Plan of Development exceeding 5 acres or that have the potential to significantly impair water quality. Some construction activities may require an individual construction permit. Projects that are subject to the construction general permit require a Storm Water Pollution Prevention Plan, while all other projects require a Water Pollution Control Program. Subject to county review and approval, the contractor prepares both the Storm Water Pollution Prevention Plan and the Water Pollution Control Program. The Storm Water Pollution Prevention Plan and Water Pollution Control Program identify construction activities that may cause pollutants in storm water and measures to control those pollutants. Since neither the Storm Water Pollution Prevention Plan nor the Water Pollution Control Program is prepared at this time, the following discussion focuses on anticipated pollution controls.

In some areas, Regional Water Quality Control Boards have issued permits that supersede parts of the general permit. Also, some Regional Water Quality Control Boards have issued water discharge requirements in addition to the general permit.

Additional laws regulating water quality include the Porter-Cologne Water Quality Act, Safe Drinking Water Act, and the Pollution Prevention Act. State water quality laws are codified in the California Water Code.

The Regional Water Quality Control Board is responsible for designating the beneficial uses of water bodies and setting water quality objectives to ensure uses are protected under the state Porter-Cologne Water Quality Control Act and Clean Water Act Section 303 (Central Valley Regional Water Quality Control Board 1995). Beneficial uses, water quality objectives, and applicable policies and procedures are contained in the

Basin Plan for the Tulare Lake basin region of the Regional Water Quality Control Board jurisdictional area.

Affected Environment

The project area overlies the southern portion of the San Joaquin unit of the Central Valley groundwater aquifer. Groundwater in Tulare County is present in valley alluvium deposits in confined and unconfined conditions. Unconfined groundwater in Tulare County generally flows southwest, but localized ridges, mounds, and depressions affect flow direction. The Kaweah River and St. Johns River are major sources of recharge to the unconfined groundwater aquifer.

The depth to groundwater varies throughout the valley floor area of Tulare County: from less than 20 feet below ground surface in the northeast to more than 200 feet below ground surface in the southeast. Near Dinuba, depth to groundwater averages 50 feet below ground surface. Groundwater levels near the Visalia Landfill have historically ranged from about 20 to 80 feet below ground surface.

Impacts

Pollutants commonly associated with highways are litter, heavy metals, petroleum hydrocarbon, brake materials, oil and grease, sediment, suspended solids, pesticides and herbicides. Potential impacts to water quality are associated with the discharge of pollutants in storm water runoff from the highway.

Soil erosion and associated discharge of contaminated storm water have the potential to occur because construction would disturb relatively large areas of soil over several years. Dewatering of construction areas near bridges, ditch and culvert crossings, or shallow water areas may be required if excavations fill with soil seepage or surface drainage.

Avoidance, Minimization and/or Mitigation Measures

Tulare County would specify the grading and erosion-control best management practices and specifications in the final construction plans and would implement such measures according to the Storm Water Pollution Prevention Plan.

Standard erosion-control measures, including management, structural, and vegetative controls, would be implemented for all construction activities that expose soil during the designated winter rainfall period of October 15–April 15. Erosion in disturbed areas would be controlled by doing the following:

- employing grading operations that eliminate direct routes for conveying runoff to drainage channels
- constructing erosion-control barriers (for example, silt fences, straw bales, desilting basins)
- stabilizing disturbed soil areas (for example, mulching, reseeding)

In-channel excavation for bridge improvements would require implementation of best management practices to control waste discharges. Conducting construction activities within confined and dewatered areas through the use flow diversions, cofferdams, or sheet piling prevent direct discharges to receiving waters. These standard erosion-control measures are expected to reduce the potential for soil erosion and sedimentation of drainage channels.

Best management practices would be implemented for control of non-storm water waste discharges during the dry months of the construction period. Measures include reducing sediment tracking offsite (for example, street sweeping, stabilized staging areas, covering soil haul trucks) and implementing waste management protocols (for example, spill prevention, concrete waste management, material delivery and storage, vehicle fueling and cleaning).

2.2.3 Paleontology

Regulatory Setting

Paleontology is the study of life in past geologic time based on fossil plants and animals. Although no federal law specifically protects natural or paleontological resources, a number of laws have been interpreted to do so—the primary law being the Antiquities Act of 1906, which protects historic or prehistoric ruins or monuments and objects of antiquity. This act has been amended to specifically allow funding for paleontological mitigation. Under California law, paleontological resources are protected by the California Environmental Quality Act, the California Administrative Code, Title 14, Section 4306 et seq., and Public Resources Code Section 5097.5.

Affected Environment

The proposed project sits on an alluvial plain of the Great Valley geomorphic province on the southwestern border of the San Joaquin Valley. The project area is underlain by Pleistocene nonmarine sediments equivalent to the Riverbank Formation, Great Valley basin and fan deposits, and Holocene alluvium. The University of California Museum of Paleontology lists 10 Rancholabrean vertebrate fossil localities within Tulare County along the east side of the valley in these sediments, and the Los Angeles County Museum

has at least four localities in Tulare County in these sediments. The Riverbank Formation occurs at the Fairmead Landfill in Madera County where vertebrate fossils have been found in abundance.

Impacts

A Paleontological Identification Report (January 2006) was prepared for the proposed project and stated that the excavation for the project appears likely to affect paleontological resources of scientific interest. A Paleontological Evaluation Report prepared by a qualified mitigation paleontologist is recommended for this project.

Avoidance, Minimization and/or Mitigation Measures

A qualified principal paleontologist (Master of Science or Ph.D. in paleontology or a geologist familiar with paleontological procedures and techniques) would be retained to prepare a detailed Paleontological Mitigation Plan before the start of construction. All geologic work would be performed under the supervision of a California Professional Geologist.

The qualified principal paleontologist would be present at pre-grading meetings to consult with grading and excavation contractors. Near the beginning of excavations, the principal paleontologist would conduct an employee environmental awareness training session for all persons involved in earth moving for the project. A paleontological monitor, under the direction of the qualified principal paleontologist, would be onsite to inspect cuts for fossils at all times during original grading involving sensitive geologic formations.

If fossils were discovered, the paleontologist (or paleontological monitor) would recover them. Construction work in these areas would be halted or diverted to allow recovery of fossil remains in a timely manner. Bulk sediment samples would be recovered from fossiliferous horizons and processes for microvertebrate remains as determined necessary by the principal paleontologist.

Fossil remains collected during the monitoring and salvage portion of the mitigation program would be cleaned, repaired, sorted, and cataloged. Prepared fossils, along with copies of all pertinent field notes, photos, and maps, would then be deposited in a scientific institution with paleontologist collections. A final report would be completed outlining the results of the mitigation program and would be signed by the principal paleontologist and professional geologist.

2.2.4 Hazardous Waste

Regulatory Setting

Many state and federal laws regulate hazardous materials and hazardous wastes. These include not only specific statutes governing hazardous waste, but also a variety of laws regulating air and water quality, human health and land use.

The main federal laws regulating hazardous wastes/materials are the Resource Conservation and Recovery Act of 1976 and the Comprehensive Environmental Response, Compensation and Liability Act of 1980. The Resource Conservation and Recovery Act provides for "cradle to grave" regulation of hazardous wastes. The purpose of Comprehensive Environmental Response, Compensation and Liability Act, often referred to as Superfund, is to clean up contaminated sites so that public health and welfare are not compromised. Other federal laws include the following:

- Community Environmental Response Facilitation Act of 1992
- Clean Water Act
- Clean Air Act
- Safe Drinking Water Act
- Occupational Safety & Health Act
- Atomic Energy Act
- Toxic Substances Control Act
- Federal Insecticide, Fungicide, and Rodenticide Act

In addition to the acts listed above, Executive Order 12088, Federal Compliance with Pollution Control, mandates that necessary actions be taken to prevent and control environmental pollution when federal activities or federal facilities are involved.

In California, hazardous waste is regulated mainly under the authority of the federal Resource Conservation and Recovery Act of 1976 and the California Health and Safety Code. Other California laws that affect hazardous waste are specific to handling, storage, transportation, disposal, treatment, reduction, cleanup and emergency planning.

Worker health and safety and public safety are key issues when dealing with hazardous materials that may affect human health and the environment. Proper disposal of hazardous material is vital if it is disturbed during project construction.

Affected Environment

The project area is mostly rural, consisting of a mixture of agricultural uses including vines, fruit and nut trees, row crops, and several dairies. Single-family residences and

manufactured homes are also present in the project area. In Visalia and Dinuba, commercial and industrial properties and vacant lots border the alignment.

An Initial Site Assessment (May 2003) was prepared to identify potential hazardous waste concerns. This involved a search of available environmental records and a field survey to determine whether hazardous materials or wastes were present in the project vicinity. The Initial Site Assessment recommended further assessment of several sources of potential contamination and potential construction-related issues adjacent to Road 80. The initial and environmental site assessment identified underground storage tanks, aboveground storage tanks, underground monitoring wells, and a county landfill as potential sources of hazardous material/wastes within the project limits.

Impacts

On October 3, 2005, Caltrans staff conducted a field investigation and record search to further assess potential hazardous waste impacts identified in the Initial Site Assessment dated May 2003. Results of the investigation indicated that, except for excavation that would occur at the Union Pacific Railroad crossings in Visalia and Dinuba, potential hazardous wastes impacts are no longer an issue.

The investigation also found that the proposed alignment within the boundaries of the Visalia Landfill would not encroach upon the landfill. And, based on the nature of the methane gas collection system, its location within the landfill, and the anticipated depth of any excavation within the proposed alignment, it is not likely that gas would be encountered during construction.

Avoidance, Minimization and/or Mitigation Measures

Based on the above research and field investigation, appropriate health and safety procedures should be implemented to protect employees and the public from potentially hazardous substances. Soil excavation at the Union Pacific Railroad crossings at Road 80 in Visalia and Dinuba shall be managed pursuant to the California Code of Regulations, Title 8, and should include a Site-Specific Health and Safety Plan or equivalent to protect workers and the public from potential exposure.

Tulare County should also review the methane gas collection system with the appropriate agency before construction, even though it is not likely that landfill gas would be encountered during construction.

Tulare County would contact property owners identified in the initial and environmental site assessment and the staff investigation report (November 2005) to confirm that no

underground and aboveground storage tanks, stored chemicals or other hazardous materials issues exist in the project limits. If it is determined that a property within or adjacent to the proposed right-of-way has potentially been contaminated, the County would conduct a Preliminary Site Investigation or Phase II site assessment. Measures could include screening transported soils for hazardous materials, handling or disposing of the soil in accordance with state and local regulatory agencies, and preparing a work plan to manage potential methane gas-extraction and landfill gas-related issues.

Wells in the plume of contamination to be abandoned must be abandoned under the direction of a Registered Geologist in accordance with a plan approved by the Regional Water Quality Control Board and under a permit issued by the Tulare County Health and Human Services Agency to a contractor holding a C-57 license.

2.2.5 Air Quality

Regulatory Setting

The Clean Air Act as amended in 1990 is the federal law that governs air quality. Its counterpart in California is the California Clean Air Act of 1988. These laws set standards for the quantity of pollutants that can be in the air. At the federal level, these standards are called National Ambient Air Quality Standards. Standards have been established for carbon monoxide, nitrogen dioxide, ozone and particulate matter that is 10 microns or less in diameter (PM_{10}) and particulate matter 2.5 microns or less in diameter ($PM_{2.5}$).

Under the 1990 Clean Air Act Amendments, the U.S. Department of Transportation cannot fund, authorize, or approve federal actions to support programs or projects that are not first found to conform to the State Implementation Plan for achieving the goals of the Clean Air Act requirements. Conformity with the Clean Air Act takes place at two levels—at the regional level and at the project level. The proposed project must conform at both levels to be approved.

Regional level conformity is concerned with how well the region is meeting the standards set for the pollutants listed above. California is in attainment for the other criteria pollutants. At the regional level, Regional Transportation Plans are developed that include all of the transportation projects planned for a region over a period of years, usually 20. Based on the projects included in the Regional Transportation Plan, an air quality model is run to determine whether or not the implementation of those projects would result in a violation of the Clean Air Act. If no violations would occur, then the regional planning organization, such as Tulare County Association of Governments for

Tulare County, and the appropriate federal agencies, such as the Federal Highway Administration, make the determination that the Regional Transportation Plan is in conformity with the State Implementation Plan for achieving the goals of the Clean Air Act. Otherwise, the projects in the Regional Transportation Plan must be modified until conformity is attained. If the design and scope of the proposed transportation project are the same as described in the Regional Transportation Plan, then the proposed project is deemed to meet regional conformity requirements for purposes of project-level analysis.

Conformity at the project level also requires "hot spot" analysis if an area is "nonattainment" or "maintenance" for carbon monoxide and/or particulate matter. A region is a "nonattainment" area if one or more monitoring stations in the region fail to attain the relevant standard. Areas that were previously designated as non-attainment areas but have recently met the standard are called "maintenance" areas. "Hot spot" analysis is essentially the same, for technical purposes, as carbon monoxide or particulate matter analysis performed for NEPA and CEQA purposes. Conformity does include some specific standards for projects that require a hot spot analysis. In general, project must not cause any increase in the number and severity of violations. If a known carbon monoxide or particulate matter violation is located in the project vicinity, the project must include measures to reduce or eliminate the existing violation(s) as well.

Affected Environment

The project area lies in the San Joaquin Valley Unified Air Pollution Control District. The district has jurisdiction over air quality issues throughout the eight-county San Joaquin Valley Air Basin, which includes Tulare County. The Tulare County portion of the basin is presently designated as "attainment" for the National Ambient Air Quality Standards for carbon monoxide and nitrogen dioxide, and as "non-attainment" for ozone, and both $PM_{2.5}$ and $PM_{10.}$ According to state standards, the project area is designated "attainment" for both carbon monoxide and nitrogen dioxide, and "non-attainment" for ozone and both $PM_{2.5}$ and PM_{10}. These classifications were made by comparing actual monitored air pollutant concentrations with state and federal standards. For this project, the closest Air Resource Board monitoring station is in the City of Visalia, North Church Street (see Table 2.4).

Table 2.4 Summary of Air Quality Monitoring Data

Pollutant*	Parameter	Year		
		2002	2003	2004
Carbon monoxide (parts per million)	1-hour maximum	N/A	N/A	N/A
	8-hour maximum	2.9	3	2.2
	Days above state standard	0	0	0
	Days above national standard	0	0	0
Ozone (parts per million)	1-hour maximum	0.13	0.13	0.12
	Days above state standard	72	69	41
	Days above national standard	1	2	0
PM_{10}	National annual geometric mean	52.4	43	41.4
	24 hours -- 2nd highest	108	88	75
	Days above state standard	29	17	15
	Days above national standard	0	0	0
$PM_{2.5}$	National annual geometric mean	23.2	18.2	17.0
	Days above national standard	5	0	0

Source: California Air Resources Board
Notes: "Days above state standard" refers to days in which one or more exceeded state standard.
*All pollutants were monitored from the North Church Street monitoring station in Visalia.

The Federal Clean Air Act and the California Clean Air Act require that such areas reduce emission until standards are met. The Federal Clean Air Act Amendments of 1990 require that transportation improvement programs conform with those portions that apply to the State Implementation Plan for air quality. Projects within non-attainment and maintenance areas must conform with the State Implementation Plan before they are included in the Regional Transportation Plan.

The proposed widening project is fully funded and is in the 2004 Regional Transportation Plan and was found to conform by the Tulare County Association of Governments on August 16, 2004. The Federal Highway Administration adopted the air quality conformity finding on October 4, 2004. The project is also included in Tulare County Association of Governments' financially constrained 2004 Regional Transportation Improvement Program (pages 3-103, 4-103) and is programmed through construction. The Tulare County Association of Governments' Regional Transportation Improvement Program was found to conform by the Federal Highway Administration on October 4, 2004. The design and concept and scope of the proposed project are consistent with the

project description in the 2004 Regional Transportation Plan and the assumptions in the Tulare County Association of Governments regional emissions analysis.

Impacts

The conformity rule, as described in the Clean Air Act Amendments of 1990, addresses the need for project level or hot spot analysis of carbon monoxide, $PM_{2.5}$ and PM_{10} emissions. Relatively high concentrations of carbon monoxide could be expected or predicted along Road 80 and at five intersections in the proposed project area. For modeling purposes, maximum one-hour and eight-hour average carbon monoxide concentrations were predicted for the project's design year 2028 (afternoon peak-hour, worst-case scenario) at the following intersections:

- Road 80/Avenue 416 (El Monte Way)
- Road 80/Avenue 408 (Kamm Avenue)
- Road 80/Avenue 368
- Road 80/Avneue 304 (Goshen Avenue)
- Road 80/State Route 198 on-ramps and off-ramps

These intersections were included in the carbon monoxide modeling analysis using the CALINE4 model because they have the worst predicted afternoon peak-hour level of service in 2028. Intersections with level of service D, E, or F are also those most likely to have carbon monoxide violations. Higher levels of traffic congestion result in excessive vehicle idling and high levels of carbon monoxide emissions.

According to the result of the air quality analysis, all the predicted concentration levels are below the federal and state standards. Since no future carbon monoxide levels would exceed the federal and state one-hour and eight-hour standards, no hot spots would occur at the five intersections studied.

The largest sources of $PM_{2.5}$ and PM_{10} emissions are generated by a wide variety of sources, including agricultural activities, industrial emissions, dust suspended by vehicle traffic and construction equipment, and secondary aerosols formed by reactions in the atmosphere. The state PM_{10} standards are 50 micrograms per cubic meter as a 24-hour average and 20 micrograms per cubic meter as an annual geometric mean. The federal PM_{10} standards are 150 micrograms per cubic meter as a 24-hour average and 50 micrograms per cubic meter as an annual arithmetic mean. The National Ambient Air Quality Standards for particulate matter applies to two classes of particulate: particulate matter 2.5 microns or less in diameter ($PM_{2.5}$) and particulate matter 10 microns or less in diameter (PM_{10}). Clean Air Act Quality Standards applies only to PM_{10}.

Particulate Matter Hot Spot: This project is located in a non-attainment area for the federal particulate matter standard. Therefore, the proposed project is subject to hot spot analysis requirements in light of the non-attainment or maintenance area (for federal standards) status for purposes of transportation conformity.

a) Quantitative Analysis: Since the Environmental Protection Agency has not yet released modeling guidance on how to perform quantitative PM_{10} and $PM_{2.5}$ hot-spot analysis, such analysis is not currently required.

b) Qualitative Analysis for PM_{10}: The monitored PM_{10} concentrations at the nearby station in Visalia indicate that there have been no violations in the last three years for the federal PM standard (150 micrograms/m3).

c) Qualitative Analysis for $PM_{2.5}$: The monitored concentrations at the nearby station in Visalia indicate that there have been five violations in the last three years of the federal standard (65 micrograms/cubic meter).

The project limits were examined for sensitive receptors. The primary land uses are residential, rural residential, and urban/commercial. A fire station is located east of Road 80 between Kamm and Avenue 400, and a church is west of Road 80 in the vicinity of Tulare Street in the City of Dinuba. This project will improve the level of service and reduce overall idling time, which would reduce idle emissions of particulate matter ($PM_{2.5}$ and PM_{10}), thus providing an overall air quality benefit. There were no indications found that the project would contribute to $PM_{2.5}$ or PM_{10} hot spot levels or worsen existing air quality conditions.

Based on the Environmental Protection Agency's Transportation Conformity Guidance (Final Rule), March 10, 2006, Tulare County Association of Governments submitted a determination letter to the members of the San Joaquin Interagency Consultation Working Group requesting consultation/written concurrence that the project was not a project of air quality concern for PM 2.5 hot spot. The members of this group concurred with the conclusion presented in the PM 2.5 Conformity Determination letter dated August 22, 2006.

The project would not oppose or prevent implementation of the applicable air quality plan or violate any air quality standard or contribute substantially to an existing or projected air quality violation. Construction of the project would likely reduce pollution, providing an overall air quality benefit over the next 20 years by reducing vehicular delay.

The proposed project would generate construction-related emissions and operational emissions. Construction activities such as excavating, grading and hauling tend to generate additional amounts of dust ($PM_{2.5}$ and PM_{10}) above existing levels. The project must conform to state air quality plans in non-attainment and maintenance areas.

Diesel powered construction equipment emits oxides of nitrogen, an ozone precursor; and PM_{10} in their exhaust. While this effect is temporary during construction, it can be significant on large construction projects such as this.

Avoidance, Minimization and/or Mitigation Measures

According to the project specifications, construction crews would implement dust control methods consistent with existing county standards to minimize the amount of dust generated. All activities associated with the project shall comply with the San Joaquin Valley Air Pollution Control District's Regulation VIII Fugitive Dust Rules. The project would comply with the PM_{10} mitigation measures that are required in the State Implementation Program (see Appendix J for a listing of requirements). District Rule 9510 – Indirect Source Review requires transportation projects to reduce emission of nitrogen oxides and fine particulate matter (PM_{10}) by 20 percent and 45 percent respectively. Compliance with Rule 9510 is needed to meet commitments in the 2003 PM_{10} Plan and the 2004 Extreme Ozone Attainment Demonstration Plan that are required to meet federal standards on schedule. During construction, diesel powered construction equipment will be required to be equipped with PM_{10} control devices and to be shut off while not in use.

2.2.6 Noise and Vibration

Regulatory Setting

The National Environmental Policy Act of 1969 and the California Environmental Quality Act provide the broad basis for analyzing and abating highway traffic noise effects. The intent of these laws is to promote the general welfare and to foster a healthy environment.

For highway transportation projects with Federal Highway Administration involvement, the Federal-Aid Highway Act of 1970 and associated implementing regulations (23 Code of Federal Regulations 772) govern the analysis and abatement of traffic noise impacts. The regulations require that potential noise impacts in areas of frequent human use be identified during the planning and design of a highway project. The regulations contain noise abatement criteria that are used to determine when a noise impact would occur.

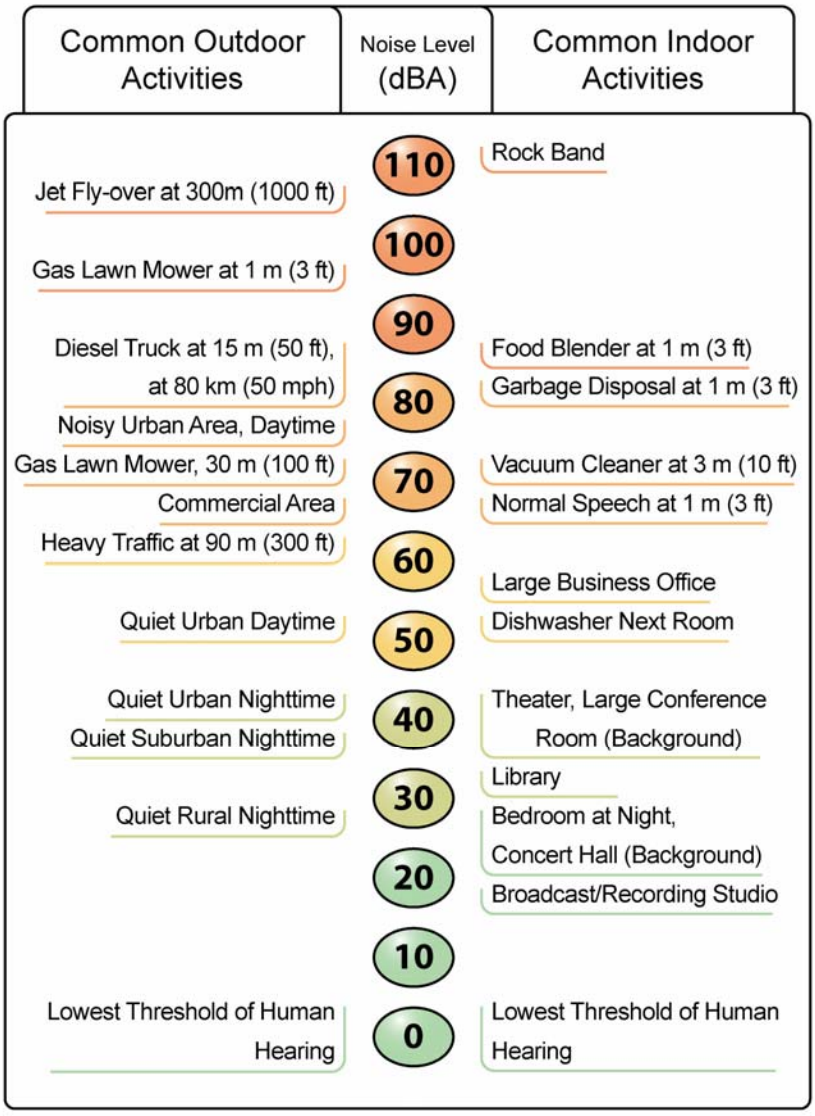
The noise abatement criteria differ depending on the type of land use under analysis (see Table 2.5). For example, the noise abatement criteria for residences (67 dBA) is lower than the noise abatement criteria for commercial areas (72 dBA). Table 2.6 shows the noise levels of typical activities.

Table 2.5 Activity Categories and Noise Abatement Criteria

Activity Category	Noise Abatement Criteria, Hourly A-Weighted Noise Level, dBA L_{eq}(h)	Description of Activities
A	57 Exterior	Lands on which serenity and quiet are of extraordinary significance and serve an important public need and where the preservation of those qualities is essential if the area is to continue to serve its intended purpose
B	67 Exterior	Picnic areas, recreation areas, playgrounds, active sport areas, parks, residences, motels, hotels, schools, churches, libraries, and hospitals
C	72 Exterior	Developed lands, properties, or activities not included in Categories A or B above
D	--	Undeveloped lands
E	52 Interior	Residences, motels, hotels, public meeting rooms, schools, churches, libraries, hospitals, and auditoriums

dBa = Decibels, Leq(h) = Equivalent steady state sound level in one hour

Table 2.6 Typical Noise Levels



According to the Caltrans *Traffic Noise Analysis Protocol for New Highway Construction and Reconstruction Projects, October 1998*, a noise impact occurs when the future noise level with the project results in a substantial increase in noise level (defined as a 12-decibel or more increase) or when the future noise level with the project approaches or exceeds the noise abatement criteria. “Approaching the noise abatement criteria” is defined as coming within 1 decibel of the criteria.

If it is determined that the project would have noise impacts, then potential abatement measures must be considered. Noise abatement measures that are determined to be

reasonable and feasible at the time of final design are incorporated into the project plans and specifications. This document discusses noise abatement measures that would likely be incorporated in the project.

The Caltrans *Traffic Noise Analysis Protocol* sets forth the criteria for determining when an abatement measure is reasonable and feasible. The reasonableness determination is basically a cost-benefit analysis. Factors used in determining whether a proposed noise abatement measure is reasonable include: residents' acceptance, the absolute noise level, comparison of noise with the project built versus existing noise, environmental impacts of abatement, public and local agencies' input, newly constructed development versus development before 1978, and the cost per benefited residence. Feasibility of noise abatement is basically an engineering concern. A minimum 5-decibel reduction in the future noise level must be achieved for an abatement measure to be considered feasible. Other considerations include topography, access requirements, other noise sources, and safety considerations.

The proposed project is a Type 1 project as defined in 23 Code of Federal Regulations 772. A Type 1 project is a proposed federal or federal-aid highway project for the construction of a highway on a new location or the physical alteration of an existing highway that significantly changes either the horizontal or vertical alignment or increases the number of through traffic lanes.

Since Tulare County is the state lead agency, the Tulare County General Plan noise compatibility standard of 60 dB-Ldn is used to determine the significance of operational traffic noise impacts under the California Environmental Quality Act. This standard is the same one used by the City of Dinuba, but 5 decibels less than the one used by Visalia.

Affected Environment

Within the City of Dinuba, land uses are primarily urban, with commercial and residential uses. Road 80 within the unincorporated area of Tulare County is rural residential with agricultural land uses. As Road 80 transitions from unincorporated Tulare County to the City of Visalia in the southern limits of the project area, the City of Visalia is developed, with mostly industrial, commercial and some residential uses.

Impacts

The Caltrans protocol was used to evaluate traffic noise impacts and determine sensitive noise receiver locations to be studied (see Table 2.7). Aerial photo mapping revealed that the proposed widening project sits mostly within the unincorporated area of Tulare County. Sensitive noise receivers were located, on average, 120 feet from the existing Road 80 centerline. Out of 50 represented noise receivers evaluated, the average existing noise level was 64 dBA-$Leq_{(hr)}$, the future (no-build) predicted average noise was 67 dBA-$Leq_{(hr)}$, and the future (build) predicted average noise was 68-dBA-$Leq_{(hr).}$ The future noise levels were attributed to predicted increases in traffic volumes, the wider Road 80, and realignment of Road 80 closer to residences.

The property in the unincorporated area of Tulare County is zoned for agricultural uses. The Noise Element of the County General Plan sets a threshold of 75 dBA for agricultural uses. Residences on agricultural property in the County can reasonably be subjected to that level of noise without being considered to be experiencing a significant noise impact. Noise impacts in the portion of the project within the County are expected to be less than 75 dBA.

According to the City of Visalia 1995 Noise Element, 75 dBA within an industrial area is normally acceptable. The Plaza Drive and Road 80 portions of the project are within the City of Visalia's industrial park and 75 dBA is considered an acceptable noise exposure. Noise impacts in the portion of the project within the City of Visalia are expected to be less than 75 dBA.

Noise from roadways in the City of Dinuba is unregulated, except as it pertains to individual vehicles or other mobile sources. Commercial land uses and zoning predominates the Road 80 corridor with some residential uses. New residential developments on Road 80 are protected from noise by existing sound walls that were installed with the development. Commercial and residential uses are allowed to generate up to 70 dBA from 7:00 a.m. to 10:00 p.m. and can be reasonably expected to experience that level of noise without significant impact. The existing noise and the noise predicted to be generated from the project does not exceed 70 dBA during the worst hour, and so would not have a significant impact on existing businesses and residences in the Road 80 corridor within this portion of the project.

Caltrans and the Federal Highway Administration require that noise abatement be considered if the predicted noise level approaches or exceeds the Noise Abatement Criteria (Table 2.6) and/or the future/permanent noise level increase exceeds 12 dBA. In

this case, Table 2.7 indicates no substantial noise increases (i.e. greater than 12 dBA), but, the project will cause the noise levels to approach or exceed the Noise Abatement Criteria.

In accordance with the protocol, noise abatement is considered where noise impacts are predicted, where frequent human use occurs, and a lower noise level would be beneficial. The human ear cannot normally distinguish between decibel changes of less than 3 dBA. For transportation facilities and traffic noise attenuation, Caltrans, Federal Highway Administration, and local jurisdictions generally recognize soundwalls as an accepted noise abatement practice. However, under extraordinary conditions and/or unusual circumstances, Caltrans (or other transportation entities) may consider soundwalls and/or other types of noise attenuation, even though a soundwall may not be practicable and/or reasonable.

Within the proposed project limits, almost all sensitive noise receiver residences for which noise impacts were identified were isolated, except for a group of residences in the City of Dinuba (between Kern and Tulare streets). Due to soundwall placement restrictions (driveway access, highway setback and approach requirements, and line-of-sight safety concerns), a soundwall would not be effective in reducing traffic noise, nor practicable, for those isolated single-family residences. Although noise abatement (a soundwall) was considered technically feasible for the group of residences between Kern and Tulare streets in Dinuba, the reasonableness criteria were not met.

Soundwall reasonableness is determined by the monetary allowance and the noise reduction benefits. This reasonableness determination is compared against the estimated actual cost of the soundwall – it is a cost versus benefit analysis. The soundwall reasonableness allowance was determined to be $48,000 per dwelling, and an estimated $192,000 for the four dwellings closest to Road 80, between Kern and Tulare streets. The estimated actual cost of a soundwall 8 feet high by 500 feet long was $245,000. Soundwalls 8 feet in height, when properly placed and of sufficient length, can provide a minimum of 5-dBA noise reduction. However, it is customary to build soundwalls to 10 to 12 feet in height to provide 5-dBA noise reduction or greater, and to obstruct the “line of site” between the noise receptor and the noise source (i.e. tractor trailer trucks). A soundwall 12 feet high by 450 feet long for this same location was estimated at $330,750. Therefore, soundwalls 8 feet and 12 feet in height are not considered reasonable for the dwellings located between Kern and Tulare streets, in the City of Dinuba.

Summary of Noise Study Results[1]
Tulare County Road-80
(Hwy 198 to Ave. 416)

Location NO#	Noise Receiver Location	Land Use Setting[2]	Noise Receiver Type (Isolated SFR)[3]	Existing Traffic Noise Levels dBA-Leq(hr)[4]	Future[5]Predicted Traffic Noise Level dBA-Leq(hr)		Future Traffic Noise Increase[6] (dBA)	Substantial 12 dBA Noise Increase[7] (Yes/No)	FHWA – NAC[8] Approached Exceeded (yes/no)	Sound Wall Feasibility[9] (yes/no)	Sound Wall Reasonableness[10] (yes/no)
					No Build	Build					
1	East of Rd-80 / Vicinity of "L" Street	Mixed Urban (Commercial /Residential)	Residential	61	64	64	3	No	No	-n/a-	-n/a-
Com-1	Thru-Out Rd-80 / From Sierra Ave. to Ave. 416	Mixed Urban (Commercial /Residential)	Commercial	67	69	70	3	No	No	-n/a-	-n/a-
2	West of Rd-80 / Vicinity of Tulare Street	Mixed Urban (Commercial /Residential)	Residential	57	59	59	2	No	No	-n/a-	-n/a-
3	East of Rd-80 / Between Kern & Tulare Street	Mixed Urban (Commercial /Residential)	Residential	62	64	64	2	No	No	-n/a-	-n/a-
4	West of Rd-80 / Vicinity of Tulare Street	Mixed Urban (Commercial /Residential)	Church	56	58	58	2	No	No	-n/a-	-n/a-
5	East of Rd-80 / Between Kern & Tulare Street	Mixed Urban (Commercial /Residential)	Residential	66	68	69	3	No	Yes	Yes	No
6	East of Rd-80 / Between Kern & Tulare Street	Mixed Urban (Commercial /Residential)	Residential	66	68	69	3	No	Yes	Yes	No
IF	East of Rd-80 / Vicinity of Kern Street	Mixed Urban (Commercial /Residential)	Residential	62	63	64	2	No	No	-n/a-	-n/a-
7	East of Rd-80 / Between Kern ST, & Kamme Ave.	Mixed Urban (Transition to Rural)	Residential	61	63	63	2	No	No	-n/a-	-n/a-
2F	East of Rd-80 / Between Kern ST, & Kamme Ave.	Mixed Urban (Transition to Rural)	Residential	59	61	61	2	No	No	-n/a-	-n/a-
8	East of Rd-80 / Between Kern ST, & Kamme Ave	Mixed Urban (Transition to Rural)	Residential	59	61	61	2	No	No	-n/a-	-n/a-
9	East of Rd-80 / Between Kern ST, & Kamme Ave	Mixed Urban (Transition to Rural)	Motel	62	64	64	2	No	No	-n/a-	-n/a-
10	West of Rd-80 / Vicinity of Kamme Ave.	Rural / Agricultural	Isolated SFR	60	62	62	2	No	No	-n/a-	-n/a-
11	East of Rd-80 / Vicinity of Kamme Ave.	Rural / Agricultural	Isolated SFR	62	67	67	5	No	Yes	No*	-n/a-
12	West of Rd-80 / Vicinity of Payan Ave.	Rural / Agricultural	Isolated SFR	65	69	68	3	No	Yes	No*	-n/a-
13	East of Rd-80 / Between Kamme Ave. & Ave. 400	Mixed Urban / Rural	Residential	60	65	65	5	No	No	-n/a-	-n/a-
3F	East of Rd-80 / Between Kamme Ave. & Ave. 400	Mixed Urban / Rural	Residential	60	65	65	5	No	No	-n/a-	-n/a-
14	East of Rd-80 / Between Kamme Ave. & Ave. 400	Mixed Urban / Rural	Residential	60	65	65	5	No	No	-n/a-	-n/a-
15	West of Rd-80 / Between Kamme Ave. & Ave. 400	Rural / Agricultural	Isolated SFR	58	62	62	4	No	No	-n/a-	-n/a-
4F	East of Rd-80 / Between Kamme Ave. & Ave. 400	Rural / Agricultural	Isolated SFR	62	66	67	5	No	Yes	No	-n/a-
16	West of Rd-80 / Between Kamme Ave. & Ave. 400	Rural / Agricultural	Isolated SFR	60	65	65	5	No	No	No	-n/a-
17	East of Rd-80 / Between Kamme Ave. & Ave. 400	Rural / Agricultural	Isolated SFR	68	72	73	5	No	Yes	No	-n/a-
18	West of Rd-80 / Between Kamme Ave. & Ave. 400	Rural / Agricultural	Isolated SFR	64	69	69	5	No	Yes	No	-n/a-
19	East of Rd-80 / Between Kamme Ave. & Ave. 400	Rural / Agricultural	Fire Dept. Station	66	70	70	4	No	No	No	-n/a-
20	West of Rd-80 / Between Kamme Ave. & Ave. 400	Rural / Agricultural	Isolated SFR	67	72	72	5	No	Yes	No	-n/a-
21	West of Rd-80 / Between Kamme Ave. & Ave. 400	Rural / Agricultural	Isolated SFR	63	67	67	4	No	Yes	No	-n/a-
22	East of Rd-80 / Between Kamme Ave. & Ave. 400	Rural / Agricultural	Isolated SFR	63	67	68	5	No	Yes	No	-n/a-
5F	West of Rd-80 / Between Kamme Ave. & Ave. 400	Rural / Agricultural	Isolated SFR	67	71	71	4	No	Yes	No	-n/a-
23	East of Rd-80 / Between Kamme Ave. & Ave. 400	Rural / Agricultural	Isolated SFR	69	72	74	5	No	Yes	No	-n/a-

FHWA – Federal Highway Administration
Caltrans – California Department of Transportation
Summary of Noise Study Results [1] - Summary results from a Technical Noise Study, Prepared by Jones & Stokes, February 2003
Land Use Setting [2]- Observed land use at the time of the noise study.
Isolated SFR [3]- Single family residences that are not connected or common with other residences; typically rural residences residing on multiple acre land parcels.
dBA – noise levels denoted in decibels (dBA) adjusted to the A- weighted scale. A-weighted scale adjustment accounts for the way the human ear detects sound (noise) and loudness.
dBA-Leq(hr) [4]- Noise levels measured and/or modeled, using the A- weighted noise scale, that are an equivalent steady-state sound level for the worst case 1-hour noise scenario.
Future[5]Predicted Noise Level – The future year, normally 20 years forward, used to estimate the probable traffic volume and predicted noise levels.
Future Traffic Noise Increase [6] The difference in decibels (dBA) between future build traffic noise level and the existing traffic noise level..
Substantial 12 dBA Noise Increase [7] - Maximum future traffic noise increase allowed by FHWA/Caltrans; exceeding 12dBA increase (future build –vs- exiting conditions) will require noise abatement analysis / consideration.
FHWA NAC [8]- Noise abatement criteria required by FHWA and adopted by Caltrans, requiring noise abatement analysis / consideration.
Sound Wall Feasibility [9]– An engineering determination, which would include noise reduction, topography issues, foundation & wall design necessities, highway approach / set-backs & line of sight requirements, stormwater drainage needs, driveway/ramp/ road access provisions, and prudent highway engineering practices. Also, the term (-n/a-) means not-applicable.
Sound Wall Reasonableness [10] -Noise abatement is only considered where noise impacts are predicted, where frequent human use occurs, and a lowered noise level would be of a benefit. A reasonableness determination includes, abatement cost, noise reduction benefits received, life cycle cost, public acceptance, aesthetic value, and land use planning. Also, the term (-n/a-) means not-applicable.

Table 2.7 Noise Receptors

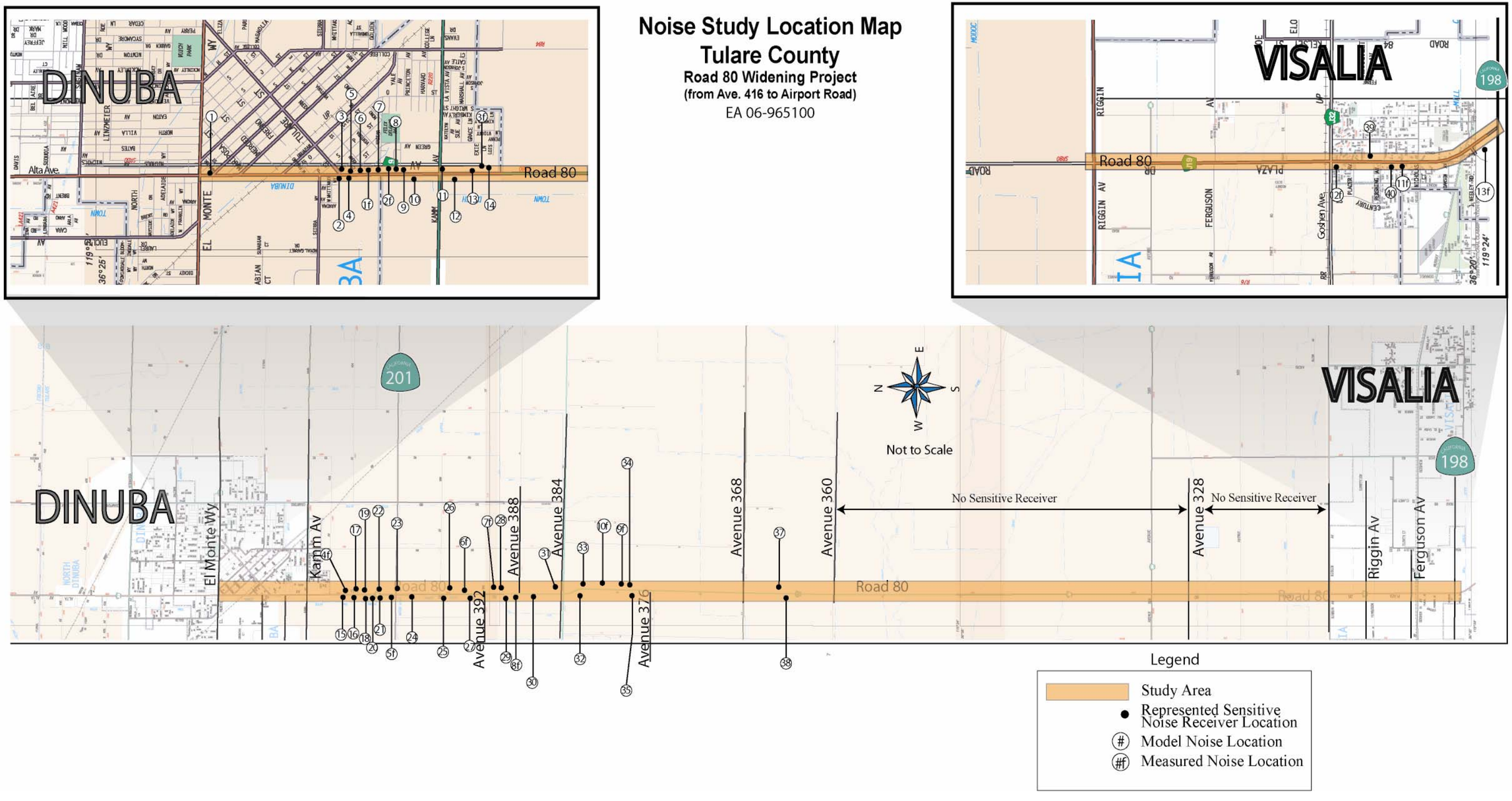


Figure 2-2 Noise Study Location Map

2.2.7 Avoidance, Minimization and/or Abatement Measures

Noise abatement measures (soundwalls) are not recommended for this project, as they are not feasible or reasonable.

2.3 Biological Environment

Field studies were conducted in May, July, and September 2000. Field reviews included surveys for special-status plant species and habitat for those species known to occur in the project vicinity, a wetland delineation of the project area, a valley elderberry longhorn beetle survey, and reconnaissance-level wildlife surveys to assess the potential of the study area to support special-status wildlife species. Biologists conducted additional field surveys at the proposed detention basin and replacement culvert areas and along selected portions of the project route on March 19 and 20, 2002, and September 12, 2002. An additional valley elderberry longhorn beetle survey was conducted on October 30, 2002. Based on these field surveys, a Natural Environment Study, which evaluated the proposed project's effects on vegetation, wildlife, and fisheries resources, was prepared.

2.3.1 Natural Communities

This section discusses natural communities of concern, focusing on biological communities, not individual plant or animal species. This section also includes information on wildlife corridors and habitat fragmentation. Wildlife corridors are areas of habitat used by wildlife for seasonal or daily migration. Habitat fragmentation involves the potential for dividing sensitive habitat and thereby lessening its biological value.

Habitat areas that have been designated as critical habitat under the Federal Endangered Species Act are discussed in the Threatened and Endangered Species section 2.3.5. Wetlands and other waters are discussed in section 2.3.2.

Affected Environment

The study area lies in the California Floristic Province in the San Joaquin Valley and includes a two-lane, paved road bordered by areas of residential and commercial development, open space primarily used for agriculture, non-native annual grassland, and limited riparian vegetation.

Suburban/urban land uses are found within the city limits of Dinuba and Visalia. Road 80 crosses an industrial zone between Avenue 320 and Avenue 312. Agricultural land (orchard, vineyards, and pasture) is the type of habitat that comprises most of the project

area beginning at Avenue 408 and going south all the way to Avenue 320. Non-native annual grassland can be found throughout the project area, with a heavy concentration near the waterway communities of Cottonwood Creek, Cottonwood Creek branch, Elbow Creek, and St. Johns River. Riparian vegetation is associated with Elbow Creek and St. Johns River.

Impacts

The proposed project would affect about 0.12 acre of riparian vegetation and a total of 13.5 acres of non-native annual grassland within the project limits.

Avoidance, Minimization and/or Mitigation Measures

Sensitive biological resources adjacent to the construction corridor would be protected by placing orange construction-barrier fencing or by staking and flagging. The final locations of these barriers would be clearly identified on the construction plans and marked in the field by a biologist/environmental monitor. Fencing or other barriers would remain in place until all construction and restoration work involving heavy equipment were complete.

Mature willows and cottonwoods would be fenced as far as possible (minimum diameter of the tree dripline) from their trunks. Oak trees within 300 feet of the construction area would be fenced at least one foot outside the dripline of individual trees or groups of trees.

Non-native annual grassland is common and abundant both locally and regionally and is considered of little botanical value. This community readily re-establishes following disturbance. No mitigation for disturbance of non-native annual grassland is required.

2.3.2 Wetlands and Other Waters

Regulatory Setting

Wetlands and other waters are protected under a number of laws and regulations. At the federal level, the Clean Water Act (33 United States Code 1344) is the main law regulating wetlands and waters. The Clean Water Act regulates the discharge of dredged or fill material into waters of the United States, including wetlands. Waters of the United States include navigable waters, interstate waters, territorial seas and other waters that may be used in interstate or foreign commerce. To classify wetlands for the purposes of the Clean Water Act, a three-parameter approach is used: the presence of hydrophytic (water-loving) vegetation, wetland hydrology, and hydric soils (soils subject to

saturation/inundation). All three parameters must be present, under normal circumstances, for an area to be designated as a jurisdictional wetland under the Clean Water Act.

Section 404 of the Clean Water Act establishes a regulatory program that provides that no discharge of dredged or fill material can be permitted if a practicable alternative exists that is less damaging to the aquatic environment or if the nation's waters would be significantly degraded. The U.S. Army Corps of Engineers runs the Section 404 permit program with oversight by the Environmental Protection Agency.

The Executive Order for the Protection of Wetlands (Executive Order 11990) also regulates the activities of federal agencies with regard to wetlands. It states that a federal agency, such as the Federal Highway Administration, cannot undertake or provide assistance for new construction located in wetlands unless the head of the agency finds: 1) that there is no practicable alternative to the construction and 2) the proposed project includes all practicable measures to minimize harm.

At the state level, wetlands and waters are regulated primarily by the Department of Fish and Game and the Regional Water Quality Control Boards. In certain circumstances, the Coastal Commission (or Bay Conservation and Development Commission) may also be involved. Sections 1600-1607 of the Fish and Game Code require any agency that proposes a project that would substantially divert or obstruct the natural flow of or substantially change the bed or bank of a river, stream, or lake to notify the California Department of Fish and Game before beginning construction. If the California Department of Fish and Game determines that the project may substantially and adversely affect fish or wildlife resources, a Lake or Streambed Alteration Agreement will be required. California Department of Fish and Game jurisdictional limits are usually defined by the tops of the stream or lake banks, or the outer edge of riparian vegetation, whichever is wider. Wetlands under jurisdiction of the U.S. Army Corps of Engineers may or may not be included in the area covered by a Streambed Alteration Agreement obtained from the California Department of Fish and Game.

The Regional Water Quality Control Boards were established under the Porter-Cologne Water Quality Control Act to oversee water quality. The Regional Water Quality Control Boards also issue water quality certifications in compliance with Section 401 of the Clean Water Act. Please see Water Quality section 2.2.2 for additional details.

Affected Environment

Vernal pool/wetland habitat was found at three locations in the proposed right-of-way. The first and second locations are where Cottonwood Creek, Cottonwood Creek branch, Elbow Creek and St. Johns River cross the road. The third location is within non-native grassland on the west side of Road 80, north of Avenue 304. Riparian communities are contained in and adjacent to Elbow Creek and St. Johns River.

Based on delineation and field visits in 1998, 2000, and 2002, the area within the proposed right-of-way supports a total of about 4.736 acres of waters of the United States, including wetlands. The area within the proposed right-of-way supports about 0.008 acre of seasonal wetlands, 0.042 acre of vernal pools, and 4.686 acres of streams and irrigation ditches.

Impacts

About 0.008 acre of seasonal wetlands, 0.042 acre of vernal pools, 4.686 acres of streams (including jurisdictional irrigation ditches), and 0.116 acre of riparian habitat would be temporarily or permanently removed or filled by the construction-related activities. Typically, when impacts exceed ½ acre, an individual Section 404 permit is needed from the U.S. Army Corps of Engineers.

Avoidance, Minimization and/or Mitigation Measures

Tulare County would implement measures to avoid or reduce construction impacts on creek channels. These measures would be incorporated into the project design as conditions of a streambed alteration agreement under Section 1602 of the California Fish and Game Code (administered by the Department of Fish and Game). Specific requirements for reducing impacts on stream habitat would be coordinated with the California Department of Fish and Game during the agreement process.

Tulare County would obtain and implement conditions in the Clean Water Act Section 401-water quality certification or waiver from the Regional Water Quality Control Board. These permits would require compensation for fill of waters of the United States, including wetlands, and loss of riparian vegetation.

Typical acreage replacement ratios vary from 1:1 to 3:1. Tulare County would develop a wetland compensation plan for review and approval by the U.S. Army Corps of Engineers and the Department of Fish and Game in coordination with the conditions set forth in the Clean Water Act Section 404 permit and the Section 1602 streambed alteration agreement. Copies of the Clean Water Act Section 404 permit, Clean Water

Act Section 401 permit, and the Section 1602 agreement would be provided to the contractor with the construction specifications.

2.3.3 Plant Species

Regulatory Setting

The U.S. Fish and Wildlife Service and California Department of Fish and Game share regulatory responsibility for the protection of special-status plant species. "Special-status" species are selected for protection because they are rare and/or subject to population and habitat declines. "Special-status" is a general term for species that are afforded varying levels of regulatory protection. The highest level of protection is given to threatened and endangered species. These are species that are formally listed or proposed for listing as endangered or threatened under the Federal Endangered Species Act and/or the California Endangered Species Act. Please see the Threatened and Endangered Species section 2.3.5 in this document for detailed information regarding these species.

This section of the document discusses all the other special-status plant species, including California Department of Fish and Game fully protected species and species of special concern, U.S. Fish and Wildlife Service candidate species, and non-listed California Native Plant Society rare and endangered plants.

The regulatory requirements for the Federal Endangered Species Act can be found at United States Code 16, Section 1531, et. seq. See also 50 Code of Federal Regulations Part 402. The regulatory requirements for the California Endangered Species Act can be found at California Fish and Game Code, Section 2050, et. seq. Projects are also subject to the Native Plant Protection Act, found at Fish and Game Code, Sections 1900-1913, and the California Environmental Quality Act, Public Resources Code, Sections 2100-21177.

Affected Environment

Surveys for special-status plant species and habitat for those species known to occur in the project area were conducted in May, July, and September 2000. A comparison of the California Natural Diversity Database, the California Native Plant Society, and the U.S. Fish and Wildlife Service species list for the Reedley, Traver, Goshen U.S. Geological Survey 7.5-minute quadrangles resulted in a list of special-status plant species with potential to occur in the project area:

- Heartscale
- Lesser saltscale
- Brittlescale
- Hoover's spurge
- San Joaquin Valley Orcutt grass
- Greene's tuctoria
- Earlimart orache

Late-season surveys were conducted in July and September 2000. Results of these surveys located populations of Earlimart orache and lesser saltscale within the project area. The potential habitat in the project area is sparsely vegetated and may support the microhabitat typically associated with these species.

Impacts

The proposed project has the potential to adversely affect one large occurrence of Earlimart orache and three small occurrences of lesser saltscale. These plant species are not state or federally listed but are considered rare, threatened, or endangered in California according to the California Native Plant Society List 1B species. These two species occur on the east side of Road 80, generally between Avenue 340 and Avenue 360. Widening Road 80 in this area would result in the removal of an undetermined number of plants from both species.

Avoidance, Minimization and/or Mitigation Measures

One or a combination of the following measures would be implemented as mitigation for Earlimart orache and lesser saltscale:

- Install construction barrier fencing around the special-status plant occurrences.
- Minimize to the extent possible the potential effects on special-status plant species by conducting construction activities during the time period when they are not flowering or fruiting.
- Develop a compensation strategy and implement options for the permanent loss of special-status plant species.
- Transplant or relocate soils containing special-status plants away from direct impact of project.

The County of Tulare would submit draft copies of the plan to the appropriate resource agencies and knowledgeable individuals for review and comment. The plan would be approved by the appropriate agencies before it were implemented.

2.3.4 Animal Species

Regulatory Setting

Many state and federal laws regulate impacts to wildlife. The U.S. Fish and Wildlife Service, the National Oceanic and Atmospheric Fisheries, and the California Department of Fish and Game are responsible for implementing these laws. This section discusses potential impacts and permit requirements associated with wildlife not listed or proposed for listing under the state or federal Endangered Species Act. Species listed or proposed for listing as threatened or endangered are discussed in section 2.3.5. All other special-status animal species are discussed here, including California Department of Fish and Game fully protected species and species of special concern, and U.S. Fish and Wildlife Service or National Oceanic and Atmospheric Fisheries candidate species.

Federal laws and regulations pertaining to wildlife include the following:

- National Environmental Policy Act
- Migratory Bird Treaty Act
- Fish and Wildlife Coordination Act

State laws and regulations pertaining to wildlife include the following:

- California Environmental Quality Act
- Sections 1601–1603 of the Fish and Game Code
- Sections 4150 and 4152 of the Fish and Game Code

Affected Environment

The following list of wildlife species with potential to occur in the project area resulted from a comparison of the U.S. Fish and Wildlife Service species list for the Reedley, Traver, Goshen U.S. Geological Survey 7.5-minute quadrangles and California Natural Diversity Database lists with information about habitat requirements, population distribution, and observations from the biological survey:

- Swainson’s hawk
- Western burrowing owl
- Western pond turtle
- Western spadefoot toad

In addition to the species identified by the California Natural Diversity Database and the U.S. Fish and Wildlife Service lists (see Appendices L and M), several bird species and

one bat species designated as California species of special concern were included because of their distribution and habitat requirements.

The main channel of Cottonwood Creek, Elbow Creek, and St. Johns River do not provide suitable habitat for special-status fish species, including delta smelt, Sacramento splittail, longfin smelt, and Kern brook lamprey. Chinook salmon and steelhead are other listed species not known to occur in the study area.

The U.S. Fish and Wildlife Service species list also identified bird species with the potential to occur in the study area. American peregrine falcons, bald eagles, and ferruginous hawks may occasionally forage in or migrate through the study area, but would not be affected by construction activities. Suitable nesting sites for these winter visitors do not occur in the study area or vicinity. Other bird species, which may occasionally forage in the grassland or agricultural areas along the project route, include the Aleutian Canada goose, mountain plover, greater sandhill crane, and white-faced ibis. These species would not be affected by construction activities; therefore, these species are not discussed further.

Swainson's Hawk

Historically, Swainson's hawks nested throughout lowland California. Current nesting distribution is limited to far northeastern California, the Central Valley and a few sites in the Owens Valley. Swainson's hawks prefer nesting in large, mature native trees. About 87 percent of nests in the Central Valley are found in riparian habitats. Nests are also found in mature roadside trees, isolated individual trees in agricultural fields, small groves of oaks, and trees near farmhouses.

In 1991 and 1992, a Swainson's hawk nest in a eucalyptus tree about 4 miles west of the study area was reported. This nest has not been active since that time and no other nests are known to occur in the study area. The Natural Diversity Database report did not contain any records of Swainson's hawk's nests within 10 miles of the study area. However, there are eight records for nests observed 11 to 15 miles from the study area. Alfalfa, wheat, and other row crops along Road 80 provide foraging habitat. Scattered trees near St. Johns River, Elbow Creek, and the main channel of Cottonwood Creek provide habitat for nesting.

Western Burrowing Owl

Burrowing owls prefer open grasslands and shrub lands with perches and burrows. They usually live and nest in old burrows of California ground squirrels or other small mammals, but can also nest in woodpiles. Burrows are found on hillsides, along roadside

embankments and irrigation canals, on levees, near fence lines and on other raised areas of land.

In 1992, two burrowing owls sightings were reported about 5 miles east of the study area. There are two Natural Diversity Database records for burrowing owls seen 3 miles east and about 2.5 miles west of the study area.

Non-native annual grasslands between the Cottonwood Creek branch and Elbow Creek and between Ferguson and Goshen avenues have mounded soil with ground squirrel burrows around them, providing potential nesting and perching sites. No burrowing owls were observed during field surveys.

Western Pond Turtle

Western pond turtles prefer ponds, reservoirs, and slow-moving streams. They can also inhabit lakes, irrigation ditches, or permanent pools along intermittent streams. Turtles deposit eggs along the stream bank or in adjacent uplands. Turtles may winter in upland sites, enabling them to occupy creeks and waterways that dry out for several months each year. There is one historical Natural Diversity Database record (1879) for a western pond turtle in Visalia about 5.5 miles east of the study area.

Elbow Creek had little water and the main channel of Cottonwood Creek was dry at the time of the field survey. Western pond turtles could occur in these waterways on occasion. The St. Johns River provides suitable habitat for western pond turtles when the water level and river flow are low. Cottonwood Creek branch provides suitable habitat for western pond turtles; it has slow moving and still water, with grassy banks and some islands of vegetation for basking. No western pond turtles were observed in any of the waterways during field surveys.

Western Spadefoot Toad

The western spadefoot toad, a lowland species, frequents washes, river floodplains, alluvial fans, playas, and alkali flats. It is also found in valley and foothill grasslands, open chaparral, and pine-oak woodlands. The western spadefoot toad prefers habitats with open vegetation and short grasses where the soil is sandy or gravelly. It spends much of the year underground in burrows. It breeds and lays eggs in temporary pools formed by heavy winter rains. The western spadefoot toad is largely nocturnal and rarely seen except during the breeding period.

There are no Natural Diversity Database records for western spadefoot toad in the project vicinity. However, in 1998, western spadefoot toads were reported in vernal pools west of

Road 80. Western spadefoot toads could occur in vernal pools between Cottonwood Creek branch and Elbow Creek and in the surrounding annual grassland. The sandy soil is appropriate for burrowing; however, the surrounding area is heavily vegetated, which could make dispersal difficult. Breeding could occur in pools between Ferguson and Goshen avenues, but this area is surrounded by agricultural, residential and industrial uses. No western spadefoot toads were observed during the field survey.

Cliff Swallows

Cliff swallows and/or their nests were observed in culverts between Avenue 416 and Avenue 384 and from Avenue 335 to north of State Route 198. Many cliff swallow nests were observed under the bridges crossing St. Johns River, the main channel of Cottonwood Creek, Elbow Creek and the Cottonwood Creek branch. Although not considered a special-status species, cliff swallows, their occupied nests and their eggs are protected by both federal and state law, including the Migratory Bird Treaty Act and California Fish and Game Code, Sections 3503, 3513, and 3800.

Bats

The U.S. Fish and Wildlife Service special-status species list identified eight bat species that could occur in the project vicinity. The Pacific western big-eared bat, greater western mastiff bat, spotted bat, small-footed myotis, long-eared myotis, fringed myotis, long-legged myotis, and Yuma myotis could forage over the main channel of Cottonwood Creek, Elbow Creek, and St. Johns River in the study area. Based on distribution and habitat requirements, it was determined that the pallid bat could also forage in the study area. In addition, one or more of these bat species could roost underneath the bridge structure over these waterways. Because the field survey coincided with the swallow-breeding season and because numerous swallows were present, close examination of bridges for evidence of bats was infeasible.

Impacts

Swainson's Hawk

Construction of the proposed project would permanently remove about 0.8 acre of potential foraging habitat consisting of non-native annual grasslands and agricultural fields. Mitigation for the loss of foraging habitat is required if an active nest tree (used within the last five years) is found within 10 miles of the study area. Since there are no records of active nest trees within 10 miles of the study area in the last five years, mitigation for the loss of foraging habitat is not required.

Western Burrowing Owl

Construction of the proposed project would result in the permanent loss of about 9.16 acres of potential foraging and nesting habitat consisting of non-native annual grasslands, agricultural fields, and riparian habitat. Potential construction impacts include damage to or destruction of dens, direct mortality from den collapse, and temporary disturbance from noise and human presence.

Western Pond Turtle

Widening the bridges over St. Johns River, Elbow Creek, the main channel of Cottonwood Creek, and Cottonwood Creek branch would result in the loss or disturbance of 0.98 acre of aquatic habitat. Construction of abutments and pilings to widen the existing bridges would result in the loss of 0.171 acre of potential breeding and nesting habitat. Another 0.816 acre would be temporarily disturbed by construction activities. This area would be available to turtles in the long term because these areas would grow back naturally.

Western Spadefoot Toad

Vernal pools and seasonal wetlands provide potential habitat for western spadefoot toads. Two vernal pools and three seasonal wetlands would be directly or indirectly affected by construction activities.

Cliff Swallows

Cliff swallows could be affected by the proposed project if active swallow nests are located on the underside of bridges and in culverts and if construction activities were to occur during the nesting season (between March 1 and September 1).

Avoidance, Minimization and/or Mitigation Measures

Swainson's Hawk

Construction and tree removal are to be avoided during the nesting season for Swainson's hawks (March–late August), or a preconstruction survey for Swainson's hawk nests would be conducted. If avoiding the nesting season is not possible, nesting surveys would be conducted before construction begins in areas considered potential suitable habitat for Swainson's hawk nesting. Suitable sites contain trees large enough to support a Swainson's hawk nest and are located within a half mile of the study area.

Western Burrowing Owl

To avoid adverse impacts on nesting burrowing owls or winter burrows, qualified wildlife biologists would implement the following California Department of Fish and

Game-approved measures as described in the Staff Report on Burrowing Owl Mitigation (California Department of Fish and Game, 1995):

- Preconstruction surveys during the breeding season consist of visually checking all potential habitat within 250 feet of construction activities before construction begins. If active burrowing owl nests are found, biologists will establish a 250-foot buffer zone around the active burrow. No construction activities will be permitted within the specified buffer zone until after the breeding season (February 1–August 31) has ended or until it is determined that young have fledged.

- Preconstruction surveys during the wintering season consist of visually checking all potential habitats in areas where ground-disturbing activities will occur.

- Qualified wildlife biologists will conduct preconstruction surveys for burrowing owls within 1–2 weeks before construction activities begin. The guidelines require that one-way doors be installed at least 48 hours before construction at all active burrows that exist within the construction area so that the burrows cannot be occupied during construction activities. The one-way doors will be installed at that time to ensure that the owls can exit the burrows but not re-enter. The guidelines also require installing two artificial burrows at a suitable, off-site location for each occupied burrow that is removed. Artificial burrows will be constructed before one-way doors are installed.

Western Pond Turtles

A preconstruction survey for western pond turtles would be conducted by a qualified biologist within 24 hours of the start of construction activities in St. Johns River, Elbow Creek, the Cottonwood Creek main channel, and the Cottonwood Creek branch. If a turtle were found in the construction area, the turtle would be moved out of the area and exclusion fence would be installed to prevent the movement of turtles back into the construction area.

Grading and construction activities along the stream banks of St. Johns River, Elbow Creek, the Cottonwood Creek main channel, and the Cottonwood Creek branch would be minimized between October 15 and May 1 to reduce potential mortality to hibernating turtles.

If a turtle were to become trapped during construction activities within any of the waterways, the turtle would be removed from the work area and placed downstream from the project site.

The construction area would be clearly defined using orange environmentally sensitive area fencing to minimize disturbance to riparian vegetation and western pond turtle habitat.

Swallows

To avoid impacts on nesting swallows, construction activities at the bridges and culverts containing swallows nests would be avoided during the nesting season (March 1–August 31) or until the young have fledged. If bridge construction and culvert replacement would occur during the cliff swallow's non-breeding season (September–February), any nests present would be inspected by a qualified biologist to ensure that no birds are using them. If all nests are abandoned, they would be removed. Inspection of the nests between July and September may also reveal that the young have fledged; if all nests are abandoned, they would be removed. Burying the perennial waterway between Avenues 400 and 396 along the westside of Road 80 would occur during the non-breeding season to prevent the loss of swallows or their nests.

If construction activities must occur during the nesting period, the following measures would be implemented:

- Nests shall be removed before March 1, if bridge construction is to occur during the cliff swallow's breeding season. After nest removals, netting would be installed so that swallows cannot attach their nests to the bridge through gaps in the net.

- If steps are taken to prevent swallows from constructing new nests, then work may proceed at any time of the year. To avoid damaging active nests, they would be removed before egg laying occurs. A permit from the California Department of Fish and Game and the U.S. Fish and Wildlife Service is required if active nests are to be removed.

- If netting of the bridge does not occur by March 1 and cliff swallows substantially colonize the bridge, modifications to the bridge shall not begin before September 1 or until it is determined that all of the young have fledged.

2.3.5 Threatened and Endangered Species

Regulatory Setting

The main federal law protecting threatened and endangered species is the Federal Endangered Species Act (United States Code, Section 1531, et seq.) See also 50 Code of Federal Regulations Part 402. This act and subsequent amendments provide for the

conservation of endangered and threatened species and the ecosystems upon which they depend. Under Section 7 of this act, federal agencies, such as the Federal Highway Administration, are required to consult with the U.S. Fish and Wildlife Service and the National Oceanic and Atmospheric Fisheries to ensure that they are not undertaking, funding, permitting or authorizing actions likely to jeopardize the continued existence of listed species or destroy or adversely modify designated critical habitat. Critical habitat is defined as geographic locations critical to the existence of a threatened or endangered species.

The outcome of consultation under Section 7 is a Biological Opinion or an incidental take permit. Section 3 of the Federal Endangered Species Act defines "take" as "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect or any attempt at such conduct."

California has enacted a similar law at the state level, the California Endangered Species Act, California Fish and Game Code, Section 2050, et seq. The California Endangered Species Act emphasizes early consultation to avoid potential impacts to rare, endangered, and threatened species and to develop appropriate planning to offset project-caused losses of listed species populations and their essential habitats.

The California Department of Fish and Game is the agency responsible for implementing the California Endangered Species Act. Section 2081 of the Fish and Game Code prohibits take of any species determined to be an endangered species or a threatened species. "Take" is defined in Section 86 of the Fish and Game Code as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." The California Endangered Species Act allows for take incidental to otherwise lawful development projects; for these actions, an incidental take permit is issued by California Department of Fish and Game.

For projects requiring a Biological Opinion under Section 7 of the Federal Endangered Species Act, the California Department of Fish and Game may also authorize impacts to California Endangered Species Act species by issuing a Consistency Determination under Section 2080.1 of the Fish and Game Code.

Affected Environment

A biological assessment was prepared to assess effects of the proposed project on listed species that have the potential to occur in the project area. The Federal Highway Administration has completed Section 7 consultation with the U.S. Fish and Wildlife Service for the following listed species, and a Biological Opinion was rendered by the U.S. Fish and Wildlife Service on June 7, 2005:

- Valley elderberry longhorn beetle
- Vernal pool tadpole shrimp
- Vernal pool fairy shrimp
- California tiger salamander
- San Joaquin kit fox

Valley Elderberry Longhorn Beetle

The Valley elderberry longhorn beetle, federally listed as threatened, can be found throughout the Central Valley and associated foothills from the northern border of Shasta County to the southern portion of Kern County. Its range extends from the Central Valley watershed on the west to about 3,000 feet above sea level in the Sierra Nevada foothills.

Elderberry shrubs, host plant for the valley elderberry longhorn beetle, are found in riparian forests and adjacent uplands in the Central Valley and foothills. Adult beetles feed on the foliage from March to early June. During that time, adults mate and females lay eggs on the plant. After hatching, the larva burrows into the stem. After the larva transforms into an adult, it chews an exit hole and emerges.

The California Natural Diversity Database shows one record (2000, 2003) for valley elderberry longhorn beetle exit holes in elderberry shrubs along the Kings River, about 4 miles northwest of the project area. There are also records from several rivers and their tributaries in Tulare County, including the Kaweah River, Tule River, and Deer Creek.

Field surveys found 15 elderberry shrubs adjacent to St. Johns River and Elbow Creek. Exit holes were not observed in any of the shrubs.

Vernal Pool Tadpole Shrimp

The vernal pool tadpole shrimp is federally listed as threatened. Populations are found in the Central Valley from Shasta County to northern Tulare County and in the Central Coast Range from Solano County to Alameda County. Vernal pool tadpole shrimp occur in neutral to slightly alkaline vernal pools and seasonal wetlands. Crustaceans hatch when the rains first inundate the pool, mature to adults in 20-30 days, mate, shed their cysts (eggs) and die when the pools dry in the spring. Resting cysts (eggs) lie in the soil crust through the summer and hatch during the next season’s rains. The cysts (eggs) can lie dormant for decades before hatching.

There are four California Natural Diversity Database records of the vernal pool tadpole shrimp. Two records are from 1998 and 1999 for observations about 2.5 miles and 4.5 miles west of the project area. The other two records are from 2001 and 2002 for

observations about 7 miles from the project area. Field surveys identified 12 vernal pools/seasonal wetlands that could provide suitable habitat. The pools are located between St. Johns River, north of Cottonwood Creek branch on both sides of Road 80 and south of Ferguson Avenue just west of Road 80.

Vernal Pool Fairy Shrimp

The vernal pool fairy shrimp is found in scattered locations in the Central Valley from Shasta County to Tulare County, along the Coast Ranges from Solano to Ventura counties. This species occurs in three areas of Riverside County and one area in Oregon.

Vernal pool fairy shrimp live in neutral to slightly alkaline vernal pools, seasonal wetlands and rock outcrop pools along the interior coastal ranges. This species has an abbreviated life cycle, hatching when the rains first inundate the pool. Adults mature in as few as six days, mate, shed their cysts (eggs) and die when the pools dry in the spring. The resting cysts (eggs) lie in the soil crust through the summer and hatch with the next season's rains. The cysts (eggs) can lie dormant for decades before hatching.

There are seven California Natural Diversity Database records for the vernal pool fairy shrimp. Two records are from 1992 and are for observations within a few thousand feet of Road 80. Four records are for observations of vernal pool fairy shrimp within 5 miles of the study area between 1993 and 1999. One record from 2001 is for an observation about 7 miles from the project area. Field surveys identified 12 vernal pools/seasonal wetlands that could provide suitable habitat. The pools are located between St. Johns River and just north of Cottonwood Creek branch on both sides of Road 80 and south of Ferguson Avenue just west of Road 80.

California Tiger Salamander

The U.S. Fish and Wildlife Service proposed threatened status of the California tiger salamander throughout its range in Central California on May 23, 2003. The California tiger salamander exists in the Central Valley and Sierra Nevada foothills from Butte County south to Tulare County and in coastal valleys and foothills from Sonoma County south to Santa Barbara County. California tiger salamanders inhabit valley and foothill grasslands and open woodlands typically within one mile of water. California tiger salamanders usually breed in vernal pools and other seasonal ponds; they may also use small artificial water bodies such as cattle stock ponds or slower portions of streams for breeding. Adult and juvenile California tiger salamanders spend the summer and fall months sleeping in small mammal burrows.

There are four California Natural Diversity Database records from 1992 and 1993 for the California tiger salamander. These observations occurred about 4.5 miles east of the project route. A fifth record from 2002 is for an observation about 5 miles from the study area.

No California tiger salamander larvae or adults were observed during the May 2000 field survey. Several vernal pools/seasonal wetlands still contained water at the time. The 12 vernal pool/seasonal wetlands previously identified for listed shrimp species also provide breeding habitat for California tiger salamanders. Potential salamander burrow sites (California ground squirrel burrows) were observed on the west side of Road 80 within 500 hundred feet of the seasonal pools south of Avenue 376 and north of Avenue 335. This site connects to suitable habitat outside the project area for salamander dispersal and movement. Breeding could also occur in seasonal pools in the annual grassland between Ferguson and Goshen avenues.

San Joaquin Kit Fox

The San Joaquin kit fox is federally listed as endangered. The San Joaquin kit fox occurs in the San Joaquin Valley and adjacent foothills and in the interior Coast Ranges between Santa Clara and Santa Barbara counties. San Joaquin kit foxes can be found in seasonal wetland, San Joaquin saltbrush, grassland, and foothill woodland habitats. Kit fox dens are usually on relatively flat terrain or on the lower part of slopes, but topography at den sites varies within the kit fox's range. Typically, kit foxes use large ground squirrel burrows as dens. San Joaquin kit foxes change den sites frequently in summer, but move less in winter, when they form pairs and breed, and in spring when young are in the natal den.

The San Joaquin kit fox historically denned and foraged along the Cottonwood Creek/Cross Creek floodplain grasslands and may have used other less-extensive undeveloped lands as corridors. A San Joaquin kit fox was observed in 2001 near the Visalia Airport, within one mile of the project area. Neither kit foxes nor potential dens showing sign of kit foxes were observed during field surveys, but ground squirrel burrows were found in grassland habitat north of Goshen Avenue and south of Avenue 376 within the project area. These areas are between the Cottonwood Creek branch and Elbow Creek on both sides of Road 80 and between Ferguson and Goshen avenues on the west side of Road 80.

Impacts

Valley Elderberry Longhorn Beetle

Construction of the proposed project would directly affect 15 elderberry shrubs. Eleven shrubs cannot be avoided because of their close proximity to construction activities. The U.S. Fish and Wildlife Service considers removing or disturbing elderberry shrubs to be a "take" under the federal Endangered Species Act, which prohibits harassment, harm, or capture of a protected species. Tulare County assumes removal of 11 elderberry shrubs is *likely to adversely affect* the valley elderberry longhorn beetle. Four shrubs within 100 feet of the construction area may be affected by dust from construction-related activities. There would be no indirect effects on the valley elderberry longhorn beetle or on the elderberry shrubs.

Vernal Pool Tadpole Shrimp and Vernal Pool Fairy Shrimp

Since suitable habitat occurs in the project area, it is inferred that the shrimp species are present and protocol-level surveys were not conducted. Seven vernal pools/seasonal wetlands, totaling 1.39 acres would be directly affected. Five vernal pools/seasonal wetlands, about 0.26 acre, would be indirectly affected. Indirect effects could occur by changes in hydrology of remaining habitat because of road construction; human intrusion; and runoff of pesticides, herbicides, gasoline, and oil. Both direct and indirect impacts to vernal pool/seasonal wetland habitat are *likely to adversely affect* the vernal pool tadpole shrimp and vernal pool fairy shrimp.

California Tiger Salamander

Since suitable habitat occurs in the project area, it is inferred that California tiger salamanders are present and protocol-level surveys were not conducted. Suitable breeding habitat of 1.39 acres and 2.55 acres of upland habitat would be directly affected. About 0.26 acre of suitable breeding habitat could be affected indirectly. Indirect effects could occur by changes in hydrology of remaining habitat because of road construction; human intrusion; and runoff of pesticides, herbicides, gasoline, and oil. These effects are *likely to adversely affect* this species.

San Joaquin Kit Fox

The proposed project would remove 2.55 acres of non-native annual grassland and 54.1 of agricultural land along the Road 80 corridor and in the detention basin area. Non-native grassland and agricultural land provide suitable habitat for San Joaquin kit fox. Noise from construction activities would also temporarily affect about 18.34 acres of annual grassland and about 511.78 acres of agricultural. However, the likelihood of this occurring is low because of the low habitat quality, the linear nature of the proposed

action, and the presence of an existing road. Because a relatively large amount of habitat would be permanently and temporarily affected and the wider roadway could increase the chances of mortality, the proposed action is *likely to adversely affect* the San Joaquin kit fox.

Avoidance, Minimization and/or Mitigation Measures

The proposed mitigation measures for the five federally listed species and standard avoidance measures for affected species are included in the biological assessment and the Biological Opinion. These measures include but are not limited to the following:

- Designating Environmentally Sensitive Areas by the placement of construction-barrier fencing or stakes and flagging to protect sensitive biological resources.
- Providing a qualified biological monitor during construction to ensure measures are implemented.
- Conducting environmental awareness training for construction crews prior to project implementation.
- Conducting preconstruction surveys for San Joaquin kit fox dens and establishing exclusion zones for dens found.
- Watering down construction areas to control dust in the vicinity of elderberry shrubs.
- Installing permanent barriers to prevent road runoff from having an indirect effect on vernal pool/seasonal wetland habitat.
- Compensating for direct effects to 11 elderberry shrubs by transplanting the shrubs to a U.S. Fish and Wildlife Service-approved conservation area according to the Conservation Guideline for the Valley elderberry longhorn beetle.
- Purchase San Joaquin kit fox conservation credits at a U.S. Fish and Wildlife Service-approved conservation bank to compensate for loss of San Joaquin kit fox habitat.
- Purchasing mitigation credits at U.S. Fish and Wildlife Service-approved mitigation banks to compensate for direct and indirect effects on vernal pool/seasonal wetland habitat and agricultural and annual grassland habitat.

2.3.6 Invasive Species

Regulatory Setting

On February 3, 1999, President Bill Clinton signed Executive Order 13112 requiring federal agencies to combat the introduction or spread of invasive species in the United

States. The order defines invasive species as "any species, including its seeds, eggs, spores, or other biological material capable of propagating that species, that is not native to that ecosystem whose introduction does or is likely to cause economic or environmental harm or harm to human health." Federal Highway Administration guidance issued August 10, 1999 directs the use of the state's noxious weed list to define the invasive plants that must be considered as part of the National Environmental Policy Act analysis for a proposed project.

Affected Environment

Because the Federal Highway Administration has not yet developed a list of invasive species to be considered in the analysis of transportation projects, the California Department of Food and Agriculture list of invasive weeds was used for the analysis of invasive species at the project site. The following invasive species from the list have been documented at the project site by qualified botanists: field bindweed, Bermuda grass, Russian thistle, Johnsongrass, and puncturevine. The infestations of weed species at the project site are similar to those found along roadsides and in agricultural areas throughout the San Joaquin Valley.

The California Department of Food and Agriculture list assigns ratings to each of the species listed. These ratings reflect the department's assessment of the statewide importance of the pest, the likelihood that eradication or control efforts would be successful, and the present distribution of the pest in the state. These ratings are guidelines that indicate the most appropriate action to take against a pest under general circumstances. The pest plants found in the project area are rated "C," which indicates an organism subject to no state-enforced action outside of nurseries except to retard spread.

On April 15, 2002, Bill Appleby, Tulare County deputy agriculture commissioner, provided the Tulare County Noxious Weed List - 2002, a list of 32 weeds of concern in Tulare County. Species mentioned included yellow star thistle, tocolote, Scotch thistle, Spanish broom, Italian thistle, and Arundo. None of these species was encountered during surveys of the project site.

Impacts

The proposed project may result in disturbance to important biological communities in the study area by introducing invasive species found within the project site.

Avoidance, Minimization and/or Mitigation Measures

To prevent the spread of weeds documented at the project site, the following management measures should be implemented to comply with Executive Order 13112:

- Use sterile grasses or other sterile herbaceous species for temporary erosion control purposes.
- Obtain woody tree and shrub planting stock selected for revegetation from native material collected from the project vicinity.
- Use only rice straw (a wetland species) as "straw mulch" in upland areas.
- Minimize surface disturbance to the greatest extent possible.

2.4 Cumulative Impacts

Regulatory Setting

Cumulative impacts are those that result from past, present, and reasonably foreseeable future actions, combined with the potential impacts of this project. A cumulative effect assessment looks at the collective impacts posed by individual land use plans and projects. Cumulative impacts can result from individually minor, but collectively substantial impacts taking place over a period of time.

Cumulative impacts to resources in the project area may result from residential, commercial, industrial, and highway development, as well as from agricultural development and the conversion to more intensive types of agricultural cultivation. These land use activities can degrade habitat and species diversity through consequences such as displacement and fragmentation of habitats and populations, alteration of hydrology, contamination, erosion, sedimentation, disruption of migration corridors, changes in water quality, and introduction or promotion of predators. They can also contribute to potential community impacts identified for the project, such as changes in community character, traffic patterns, housing availability, and employment.

Section 15130 of the California Environmental Quality Act Guidelines describes when a cumulative impact analysis is warranted and what elements are necessary for an adequate discussion of cumulative impacts. The definition of cumulative impacts, under the California Environmental Quality Act, can be found in Section 15355 of the California Environmental Quality Act Guidelines. A definition of cumulative impacts, under the National Environmental Policy Act, can be found in 40 Code of Federal Regulations, Section 1508.7 of the Council on Environmental Quality regulations.

Resources

The combination of the proposed project with proposed and approved projects within the vicinity could result in cumulative effects associated with this project. Resources that

warrant a cumulative impact analysis are farmland and loss of habitat for San Joaquin kit fox, and losses of vernal pools and elderberry shrubs.

More than 80 percent of the potential impact area is within areas characterized as agricultural land. Tulare County is the second-leading producer of agricultural commodities in the nation, and number one diary county in the world. In 2004, the Tulare Farm Bureau reported 5,738 farms in Tulare County, totaling more than one million acres with an average farm size of 243 acres. Milk is the first agricultural commodity worth more than $1 billion.

Traditional Method

The traditional method of cumulative impact analysis involves identification of resources, the study area, Caltrans projects, other projects, and impacts of Caltrans projects and other projects, followed by environmental analysis and development of mitigation concepts.

Study Area for Each Resource Addressed

Farmland

There are about 872,928 acres of farmland in Tulare County, with about 384,388 acres in prime farmland, 339,579 acres in farmland of statewide importance, 12,525 acres in unique farmland, and 137,436 acres in farmland of local importance.

Wildlife Habitat

The biological study area for this project included agricultural acres surrounding the Road 80 corridor, but not limited to any location within a specified radius of the proposed project.

Caltrans Projects

Two Caltrans projects fall within a 5-mile radius of the project area. Both involve freeway construction on State Route 99 and would result in acquisition of farmland, habitat for threatened and endangered species, and wetlands (see Table 2.8).

- Goshen to Kingsburg 6-Lane: Located in Tulare County, this project would widen a 13.6-mile segment of State Route 99 from a four-lane freeway to a six-lane freeway. The proposed project extends 0.18 mile north of the Goshen overhead to the Conejo Avenue undercrossing (Route 201 in Kingsburg). The project is scheduled for construction in 2013.
- Hanford Expressway: This project would improve State Route 198 in Kings and Tulare counties by converting the existing two-lane conventional highway to a four-

lane divided expressway for 10.1 miles, from 0.5 mile east of State Route 43 near Hanford to 0.37 mile west of State Route 99 near Visalia. The intersection of Road 68 and State Route 198 in Tulare County would be separated with an overcrossing without ramps because the State Route 198/99 interchange is less than a half-mile away. The project is scheduled for construction in 2011.

Table 2.8 Impacts of Caltrans Projects

Caltrans Project	Approximate Kit Fox Habitat Acres	Elderberry Shrubs (Number of Shrubs)	Wetlands Acres	Approximate Farmland Acres
Goshen to Kingsburg 6-Lane	0	7	0.1	0.88
Hanford Expressway	267	0	1	267
Approximate totals	267	7	2	267.88

Other Developments

According to the Cities of Dinuba and Visalia and the County of Tulare several residential and commercial developments, road projects, and public facilities are in progress or planned for the near future. Residential developments may also include plans for public facilities such as schools, parks, and drainage basins.

Development in progress or planned in these two cities and the County of Tulare (see Table 2.10) include about 240 acres for residences, 917 acres for commercial development, 403.5 acres for industrial use, and 180.46 acres for public facilities. Some 14.25 miles of transportation improvements are included in the County of Tulare.

Table 2.9 Local Development in Dinuba, Visalia, and Tulare County

Project	Size	Proposed Land Use	Status
Parkside subdivision	60 acres	Residential	Construction on 1st phase (124 lots) initiated in 2005; anticipated build-out 2007
Public Works Facility & CNG Fueling station	5 acres	Public facility	Completed in 2004
Viscaya I & II DNJ Subdivisions	115 acres	Residential	Construction initiated in 2005; completion 2009
Stony Creek	2 acres residential, 7 acres commercial	Residential and commercial	Final map approved 2006 for residential; 2008 to 2009 for commercial
Joint Alta Irrigation District-City of Dinuba Recharge Drainage Basin	30-acre basin, 20 park	Public facility	Construction 2006
JRW Offices/small warehouses (6 parcels)	2 acres	Industrial	Construction 2006
Greene Street Apartments, Phase 2	20 multi-family units, 3 acres	Residential	Not yet approved
Tierra Vista, Phase 2	42 multi-family units, 15 acres	Residential	Approved; expected completion 2008
Foothill Ridge, Phase 2-B	120 single-family units, 45 acres	Residential	Completed 2005
JFK Academy (sixth grade school campus)	10 acres	Public facility	Completed 2004
Various Industrial Park: Brets Ford and Walmart	Walmart 28 acres site, 18 acres commercial site to west, 25 acres site to east	Commercial	Approved; expected completion 2005-2006
Vocational/Technical School/Training Center	20,000 sf expanded to 40,000 sf	Public facility	Completed 2004
Riggin Avenue, Phase 2	2 miles	Road widening	Approved, expected completion 2010
Allen Group	1,500 feet	Road improvement	Not yet approved; expected completion 2006
Parcel Map	25.5 acres	Light industrial	In development
Parcel Map	118 acres	Heavy industrial	In development
Parcel Map	120 acres	Heavy industrial	In development
Distribution Center	64 acres	Heavy industrial	Under construction
Parcel Map	54 acres	Heavy industrial	In development
Auto Mall	13.5	Service commercial	Under construction
Parcel Map	3 acres	Business park	Pending approval
Parcel Map	20 acres	Light industrial	In development
Mountain View/Avenue 416/ El Monte Way widening	12 miles	Road improvement local road/state highway	Construction expected 2019
Visalia Landfill Expansion	115 acres	Public facility	Approved; expected construction 2003
Approx. Total	919.46		

Source: slitor pers. comm., Jacobs pers. comm., Mienert pers. comm.

Impacts from Other Projects

Proposed and recent developments, including residential, commercial, and public facilities, would result in or have resulted in a change in land use of about 919.46 acres to

urban development (see Table 2.9). Caltrans projects would require acquisition of 267.88 acres of farmland for right-of-way.

Impacts from Road 80 Project

The build alternative of the Road 80 project would result in the direct conversion of farmland. Construction of the project would result in the loss of denning and foraging habitat for San Joaquin kit fox, and the loss of potential habitat for the vernal pool fairy shrimp, vernal pool tadpole shrimp, California tiger salamander, and valley elderberry longhorn beetle.

Urban Growth

Dinuba

Substantial land is available for residential, commercial, and industrial development in Dinuba. During its 1997 General Plan update process, Dinuba identified 10-year and 20-year urban development boundaries, which provide substantial areas of vacant lands for future residential, commercial, and industrial uses. Future development in Dinuba will occur generally around the city's existing developed area. The 10-year and 20-year urban development boundaries intersect Road 80 about a quarter mile and a half mile south of the Road 80/Avenue 408 (Kamm Avenue) intersection, respectively.

Tulare County

Land use in unincorporated Tulare County is addressed by Tulare County's urban boundaries documents for Dinuba and Visalia (for areas within urban development boundaries for both cities) and Tulare County's Rural Valley Lands Plan. The goal of the Rural Valley Lands Plan is to sustain the viability of Tulare County agriculture by restraining division and land use that is harmful to continued agricultural use of irreplaceable land resources. An objective of the Rural Valley Lands Plan is to discourage the conversion or division of agricultural lands to nonagricultural uses and parcel sizes.

Within the Rural Valley Lands Plan, a point rating system is used to evaluate a parcel's suitability for nonagricultural zoning. Rural Valley Lands Plan policies discourage development (for urban uses) of agricultural lands that are not located within Dinuba's and Visalia's urban development boundaries. Tulare County policies within the Dinuba and Visalia urban development boundaries documents (as they relate to unincorporated areas within the designated urban development boundaries) generally encourage annexations and development of land uses in accordance with city plans. Within the unincorporated portion of the Urban Development Boundary for Visalia, Tulare County has adopted the Visalia's General Plan designations insuring consistent plans within this

area. However, no such adoption has occurred for Dinuba's recently adopted General Plan; therefore, designations within the unincorporated portion of Dinuba's urban development boundary may vary between the city and Tulare County. In addition to the limits placed on development outside the cities' urban development boundaries by the Rural Valley Lands Plan, existing California Land Conservation Act contracts substantially limit conversion of agricultural lands. No urban development is expected outside Dinuba's and Visalia's urban development boundaries.

Visalia

The Road 80 corridor covers only a small portion of Visalia's geographic area. The area surrounding Road 80 south of State Route 198 is developed with a hotel and community park. The area north of State Route 198 is located in an area designated for industrial and business park uses. The timing for development of these areas is dictated by Visalia's urban development boundary, which is linked to city population growth projections and development levels. The boundary is anticipated to provide adequate quantities of land for development through 2020. Areas were reviewed for development potential and designated as appropriate for urban development during Visalia's general plan process.

Avenue 312 is the current city limit. Most of the area between State Route 198 and Avenue 312 is mostly developed with industrial and business park uses with several parcels available for development. In addition to the area currently within the city limits and in accordance with the 2010 limit line, Visalia has designated for industrial development an approximately 1-mile-long area straddling Road 80 between Avenues 312 and 320 currently used for agricultural purposes. This area covers about 640 acres. Also, in accordance with the 2020 limit line, Visalia has designated an additional 640 acres for industrial development about a half mile east of Road 80.

Impacts

Agricultural conversion is now occurring as Dinuba and Visalia expand into previously unincorporated agricultural areas. Future planned urban development in the project corridor would further contribute to conversion of agricultural lands. Conversion of agricultural land to urban uses in Tulare County is governed by the Rural Valley Lands Plan. This plan in conjunction with the urban boundaries documents for Dinuba and Visalia provides guidelines for the appropriateness of agricultural conversion and ensures long-term preservation of agricultural lands. The incremental loss of agricultural resulting from the proposed project, in addition to current losses and future losses from planned

urban growth, would not result in a substantial cumulative impact on the conversion of agricultural lands in the project area.

Road projects and construction of new buildings in the vicinity of Road 80 may result in the loss of additional denning or foraging habitat for the San Joaquin kit fox and losses of vernal pools or elderberry shrubs if these habitats are present in the proposed construction areas. However, the proposed project is not expected to result in substantial cumulative impacts on listed species or their habitats because only a relatively small acreage would be affected, and land-use policies are in place to prevent unplanned development. In addition, the project has adopted mitigation measures as outlined in the Biological Opinion issued by the U.S. Fish and Wildlife Service on June 7, 2005. Therefore, the mitigation measures as proposed are adequate for offsetting any cumulative impacts of the Road 80 project on the five federally listed species.

The highway project itself conforms to the circulation element of the county's and cities' General Plans. Cumulative impacts of upgrading Road 80 to four lanes and from four lanes to six lanes from Neeley Street to State Route 198 in Visalia were evaluated in the environmental document for both the county's and the cities' General Plans.

Construction of this project is not expected to shift growth from one area to another. The proposed improvements would accommodate planned and existing growth in the study area. No growth-inducing impacts are expected to result from the project. Due to existing constraints created by endangered species, land use policies and underlying zoning, the project is not expected to accelerate growth in the study area.

Avoidance, Minimization and/or Mitigation Measures

The mitigation and standard avoidance measures proposed for this project area are set forth in the Biological Opinion rendered by the U.S. Fish and Wildlife Service and are intended to account for these cumulative impacts onto the affected species.

Chapter 3 Comments and Coordination

This section provides a summary of meetings held to discuss the proposed project, a list of agencies and persons consulted, and correspondence with agencies regarding the proposed action.

Scoping Meetings

Tulare County distributed a Notice of Preparation for the Environmental Impact Report on June 9, 2000 to identify issues of concern regarding the proposed action and to incorporate comments received from the public and agencies into the draft Environmental Assessment/ Environmental Impact Report impact analysis. The distribution of a Notice of Preparation is required under the California Environmental Quality Act.

In addition, on June 28 and June 29, 2000, public scoping meetings were held in Dinuba and Visalia, respectively, to solicit input from the public and agencies on the scope of the draft Environmental Assessment/Environmental Impact Report. Members of the public expressed comments regarding acquisition of their property and changes in access to their driveways if Road 80 is widened.

Agency Coordination

- On April 28, 2000, a letter was sent to the U.S. Fish and Wildlife Service requesting information about endangered and threatened species in the project area. The U.S. Fish and Wildlife Service responded on June 22, 2000 with a list that covered the following U.S. Geological Survey $7^{1/2}$ minute quad or quads: Traver, Goshen, Reedley.

- On May 25, 2000, the following local historical societies and historic preservation groups were provided information concerning the widening project: Alta District Historical Society, Tulare County Museum, and Tulare County Historical Society.

- On May 25, 2000, the City of Dinuba Community Development Department was provided information on the widening project.

- On May 22, 2000, a letter was sent to the Native American Heritage Commission providing information and requesting information on any sites listed in the Sacred Lands Database and a list of Native Americans to contact in the project area. The commission reviewed the project and responded on June 1, 2000. The

commission's record search of sacred lands files found no Native American cultural resources in the immediate project area. The commission also provided a list of Native American individuals to contact who may have knowledge of cultural resources in the project area.

- In June and September 2000, the following Native American Groups were provided letters regarding the proposed project: Santa Rosa Rancheria, Tule River Indian Tribe, and Kern Valley Indian Community.

- On June 20, 2000, a letter regarding delineation of waters of the United States, including wetlands, was provided to the U.S. Army Corps of Engineers. On August 9, 2000, the U.S. Army Corps of Engineers responded with a letter stating that they had reviewed and verified the information provided on June 20, 2000. They also stated that the Natural Resources Conservation Service would be verifying any wetlands that may be located within the project boundary.

- The Natural Resources Conservation Service was sent a wetlands report and supporting documentation on July 20, 2000. The Natural Resources Conservation Service responded with a letter on August 15, 2000, stating it concurred with the wetlands report.

- On June 13, 2006, the Tulare County board of Supervisors conducted a public hearing on the Mitigated Negative Declaration for the Road 80 Widening Project. Two members of the public spoke at the meeting. The Chairman of the Board had one question.

- On August 22, 2006, Tulare County Association of Governments submitted a determination letter to the members of the San Joaquin Interagency Consultation Working Group requesting consultation/written concurrence that the project was not a project of air quality concern for PM 2.5 hot spot.

Chapter 4 List of Preparers

The California Department of Transportation, Central Region, and the County of Tulare prepared this document. The California Department of Transportation Central Region staff who worked on the document include:

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Chapter 5 Distribution List

This document is being distributed to the following:

Alta Irrigation District

Audubon Society/Condor Research - c/o Brian Newton

California Department of Fish and Game - Region 4, Rod Goss

California Department of Transportation - District 6, Division of Planning

California Public Utilities Commission

California Integrated Waste Management Board California Water Service - Ernie J. Reyes

City of Dinuba - Daniel Meinert, Assistant City Manager

City of Orange Cove - Planning Department

City of Reedley - Community Development Department

City of Visalia

- Mario Cifuentez, Airport Committee
- Mike Olmos, Director of Public Works
- Dianne Guzman, Assistant City Manager
- David Jacobs, Assistant Public Works Director

Council of Fresno County Governments

County of Fresno Public Works and Development Services Department

County of Kings Planning Agency - Kings County Government Center

Department of Conservation

Dinuba Joint Union High School

Goshen Community Services District

GTE

Health and Human Services Agency, Environmental Quality Division - Jim Waters

Kaweah Delta Water Conservation District

Kings River Conservation District

Media-One

Native American Heritage Commission

Natural Resources Conservation District - Mike Jefferies

NEO Corporation - Ben Heuiser

Office of Historical Preservation

Pacific Gas and Electric Company

SBC Telephone Company

Peoples Ditch Company - James Silva

Reclamation Board

Regional Water Quality Control Board

- Central Valley Region (5)
- Fresno Branch Office

St. Johns Water District

San Joaquin Valley Railroad - Tom Northrfupt

San Joaquin Valley Unified Air Pollution Control District

- Joe O' Bannon
- Dave Mitchell

Southern Cal Edison Company

SST Telecom Company - Chuck Sourls

State of California Department of Fish and Game

Supervisor Cox

Supervisor Worthley

Tulare County Sheriff's Department - Sheriff

Tulare Lake Basin Water Storage District

Tulare County Association of Governments (Areawide Clearinghouse)

Tulare County Flood Control District

Tulare County Farm Bureau

Tulare County Airport Land Use Commission

U.S. Army Corps of Engineers - Matt Hirkala

U.S. Fish and Wildlife Service

Union Pacific Railroad - Patrick Kerr

Visalia Unified School District

Appendix A CEQA Checklist

The following checklist identifies physical, biological, social, and economic factors that might be affected by the proposed project. The California Environmental Quality Act impact levels include “potentially significant impact,” “less than significant impact with mitigation,” “less than significant impact,” and “no impact.”

The California Environmental Quality Act requires that environmental documents determine significant or potentially significant impacts. In many cases, background studies performed in connection with the project indicate no impacts. A mark in the “no impact” column of the checklist reflects this determination. Any needed, explanation of that determination is provided at the beginning of Chapter 2.

	Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
AESTHETICS - Would the project:				
a) Have a substantial adverse effect on a scenic vista?			X	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a state scenic highway?			X	
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	
AGRICULTURE RESOURCES - In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			X	
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?			X	
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?			X	
AIR QUALITY - Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?				X

	Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				X
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?				X
d) Expose sensitive receptors to substantial pollutant concentration?			X	
e) Create objectionable odors affecting a substantial number of people?			X	
BIOLOGICAL RESOURCES - Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		X		
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		X		
C) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?		X		
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X

	Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	X
CULTURAL RESOURCES - Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	X	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	X	☐
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	X
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	X	☐
GEOLOGY AND SOILS - Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	☐	☐	☐	X
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	X
ii) Strong seismic ground shaking?	☐	☐	☐	X
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	X
iv) Landslides?	☐	☐	☐	X
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	X	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	X

	Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property.	☐	☐	☐	X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	X
HAZARDS AND HAZARDOUS MATERIALS - Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	X	☐
b) Create a significant hazard to the public or the environment through reasonably forseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	X	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous material, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	X

	Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
HYDROLOGY AND WATER QUALITY - Would the project:				
a) Violate any water quality standards or waste discharge requirements?			X	
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			X	
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			X	
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?				X
f) Otherwise substantially degrade water quality?			X	
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?			X	
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
j) Inundation by seiche, tsunami, or mudflow?				X

	Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
LAND USE AND PLANNING - Would the project:				
a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X
MINERAL RESOURCES - Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X
NOISE - Would the project:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		X		
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?		X		
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip,				

	Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
would the project expose people residing or working in the project area to excessive noise levels?				X
POPULATION AND HOUSING - Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?			X	
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?			X	
PUBLIC SERVICES -				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?				X
Police protection?				X
Schools?				X
Parks?				X
Other public facilities?				X
RECREATION -				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities				X

	Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
which might have an adverse physical effect on the environment?				
TRANSPORTATION/TRAFFIC - Would the project:				
a) Cause an increase in traffic which his substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	☐	☐	X	☐
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	☐	☐	☐	X
c) Result in a change in air traffic patters, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	X
e) Result in inadequate emergency access?	☐	☐	☐	X
f) Result in inadequate parking capacity?	☐	☐	☐	X
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	X
UTILITY AND SERVICE SYSTEMS - Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	X
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	X

	Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
e) Result in determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
g) Comply with federal, state, and local statutes and regulations related to solid waste?				X

MANDATORY FINDINGS OF SIGNIFICANCE -

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, or cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			X	
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X	
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?				X

Appendix B Resources Evaluated Relative to the Requirements of Section 4(f)

Section 4(f) of the Department of Transportation Act of 1966, codified in federal law at 49 United States Code §303, declares that "it is the policy of the United States Government that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl, and historic sites."

Section 4(f) specifies that "[t]he Secretary [of Transportation] may approve a transportation program or project…requiring the use of publicly owned land of a public park, recreation area, or wildlife and waterfowl refuge of national, State, or local significance (as determined by the Federal, State, or local officials having jurisdiction over the park, area, refuge, or site) only if—

(1) there is no prudent and feasible alternative to using that land; and

(2) the program or project includes all possible planning to minimize harm to the park, recreation area, wildlife and waterfowl refuge, or historic site resulting from the use."

Section 4(f) further requires consultation with the Department of the Interior and, as appropriate, the involved offices of the Departments of Agriculture and Housing and Urban Development in developing transportation projects and programs that use lands protected by section 4(f).

In general, a section 4(f) "use" occurs with a Department of Transportation-approved project or program when (1) section 4(f) land is permanently incorporated into a transportation facility; (2) when there is a temporary occupancy of section 4(f) land that is adverse in terms of the section 4(f) preservationist purposes as determined by specified criteria (23 Code of Federal Regulations §771.135[p][7]); and (3) when section 4(f) land is not incorporated into the transportation project, but the project's proximity impacts are so severe that the protected activities, features, or attributes that qualify a resource for protection under section 4(f) are substantially impaired (constructive use) (23 Code of Federal Regulations §§771.135[p][1] and [2]).

Plaza Park

Plaza Park, a City of Visalia-owned park, sits just east of Plaza Drive and south of Airport Road in the project area. The proposed project would widen Plaza Drive. County of Tulare right-of-way exists adjacent to Plaza Drive for roadway maintenance. A retaining wall would be constructed within the County of Tulare right-of-way on the east side of Road 80 between Airport Drive and the eastbound State Route 198 on-ramp to allow roadway widening to occur without encroachment into Plaza Park.

Wylie Mansion

The Wylie Mansion property has been determined by the State Historic Preservation Officer to be eligible for listing in the National Register of Historic Places. The boundaries of the eligible property extend only to the building itself, not to the portion of the parcel that has been altered to accommodate the parking lot. The project is proposing a 10-foot encroachment onto the parcel where the parking lot is located. The parking lot does not contribute to the eligibility of the property. For this reason, the State Historic Preservation Officer concurred with the Federal Highway Administration that the undertaking would not adversely affect the historic property (Wylie Mansion). Additional, the project does not occupy any land that would constitute a section 4(f) encroachment.

Appendix C Title VI Policy Statement

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF TRANSPORTATION
OFFICE OF THE DIRECTOR
1120 N STREET
P. O. BOX 942873
SACRAMENTO, CA 94273-0001
PHONE (916) 654-5266
FAX (916) 654-6608
TTY (916) 653-4086

Flex your power!
Be energy efficient!

January 14, 2005

TITLE VI
POLICY STATEMENT

The California Department of Transportation under Title VI of the Civil Rights Act of 1964 and related statutes, ensures that no person in the State of California shall, on the grounds of race, color, national origin, sex, disability, and age, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity it administers.

WILL KEMPTON
Director

"Caltrans improves mobility across California"

Appendix D Summary of Relocation Benefits

Tulare County would prepare and implement a Relocation Plan that conforms with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.

Specifically, relocation assistance payments and counseling would be provided to persons and businesses in accordance with the Federal Uniform Relocation Assistance and Real Properties Acquisition Policy Act of 1970, as amended in 1987, to ensure adequate relocation and a descent, safe, and sanitary home for displaced residents. This act provides for uniform and equitable treatment of persons displaced from their homes, businesses, nonprofit associations, or farms by federal and federally assisted programs, and it establishes uniform and equitable land acquisition policies. All eligible displacees would be entitled to moving expenses. All benefits and services would be provided equitably to all residential and business relocatees without regard to ethnicity, religion, age, national origins, or disability as specified under Title VI of the Civil Rights Act of 1964.

Each business or household would be handled individually to ensure that the needs of each displacee were met and that each relocation was accomplished smoothly and without undue hardship. Displacees would be notified of services available, such as written statement of entitlement, completion of necessary forms, calculation of monetary entitlement, assistance in locating new property, required inspections, assistance in closing escrow, setting up rental agreements, and general advisory assistance about the relocation program. Those displaced would be assisted in finding adequate replacement properties and in covering certain expenses involved in finding, purchasing or renting and moving to a new location.

Appendix E Minimization and/or Mitigation Summary

Farmland

County of Tulare, City of Dinuba and City of Visalia would provide funds to the Agricultural Land Stewardship Program to purchase agricultural easements equal to the acres of important farmland converted at a 1:1 ratio.

Community

- Emergency service providers (i.e., police, fire, and ambulance services) would be given adequate notice prior to any street closure during construction.
- Residents and farmers should be contacted and advised about potential access or parking impacts before construction activities begin, and the contractor shall provide, at all times, access to properties adjacent to the project area.
- The Traffic Management Plan should be modified to address short-term disruptions in existing circulation patterns during construction, including identifying the locations of temporary detours.
- Tulare County would prepare and implement a Relocation Plan that conforms to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.

Visual/Aesthetics

Retention of roadside landscaping would reduce the impact of new sources of light and glare. Landscaping and other improvements in the retention basin would be installed and constructed by the City of Dinuba, restoring an attractive appearance to the property.

Water Quality

The Storm Water Pollution Prevention Plan and best management practices would be implemented during construction and a Storm Water Management Plan after construction to minimize impacts to water quality.

Paleontology

A qualified principal paleontologist (Master of Science or Ph.D. of paleontology, or a geologist familiar with paleontological procedures and techniques) would be retained to prepare a detailed Paleontological Mitigation Plan before the start of construction. All geologic work would be performed under the supervision of a California Professional Geologist.

Air Quality

The contractor will comply with Regulation VIII Control Measures and District Rule 9510, requiring diesel powered construction equipment to have PM_{10} control devices and equipment to be shut off when not in use to reduce construction related air quality impacts.

Intersections for which new traffic signals are warranted will be modeled and analyzed to ensure that the traffic signal does not result in adverse air quality impacts to the immediate area around the intersection.

Hazardous Waste

Agricultural supply wells located in the plume of ground water contamination emanating from the Visalia Landfill that need to be abandoned, because they are in conflict with the road widening project, will not be allowed to be relocated in the plume. These wells would be abandoned under the direction of a Registered Geologist in accordance with a plan approved by the Regional Water Quality Control Board and under a permit issued by the Tulare County Health and Human Services Agency to a contractor holding a C-57 license.

Noise

All equipment shall have sound-control devices no less effective than those provided on the original equipment. No equipment shall have an unmuffled exhaust.

Natural Communities

Sensitive biological resources located adjacent to the construction corridor would be protected by placing orange construction-barrier fencing or by staking and flagging. The final locations of these barriers would be clearly identified on the construction plans and marked in the field by a biologist/environmental monitor. Fencing or other barriers would remain in place until all construction and restoration work involving heavy equipment was complete.

Waters/Wetlands

- Tulare County would develop a wetland compensation plan for review and approval by the U.S. Army Corps of Engineers and the California Department of Fish and Game in coordination with the conditions set forth in the Clean Water Act Section 404 permit and the Section 1602 streambed alteration agreement.
- Tulare County would compensate for affected wetlands with replacement at a 1:1 to 3:1 ratio.

Plant Species

- Construction barrier fencing would be installed around the special-status plant occurrences.
- The potential effects on special-status plant species would be minimized to the extent possible by conducting construction activities during the time period when the plants are not flowering or fruiting.
- A compensation strategy would be developed and options would be implemented for the permanent loss of special-status plant species.

Animal Species

- Construction and tree removal during the nesting season (March 1–August 15) would be avoided, or a preconstruction survey for raptor and other migratory bird nests would be conducted. If avoiding the nesting season is not possible, a qualified biologist would conduct a survey for ground- and tree-nesting birds during spring or early summer (April–July) before construction begins. If an active nest were located within a quarter mile of the construction area, Tulare County would consult with the California Department of Fish and Game to determine the need for a no-disturbance buffer or monitor for the nest. Removal of any trees containing nests without a permit is expressly prohibited.
- Qualified wildlife biologists would implement the California Department of Fish and Game-approved measures as described in the Staff Report on Burrowing Owl Mitigation.
- A preconstruction survey for western pond turtles would be conducted by a qualified biologist within 24 hours of the start of construction activities in St. Johns River, Elbow Creek, the Cottonwood Creek main channel, and the Cottonwood Creek branch. If a turtle were located within the construction area, the turtle would be relocated out of the area and exclusion fence would be installed to prevent the movement of turtles back into the construction area.
- Construction activities at the bridges and culverts containing swallows nests would be avoided during the nesting season (March 1–August 31) or until the young have fledged. If bridge construction and culvert replacement would occur during the cliff swallow's non-breeding season (September–February), any nests present would be inspected by a qualified biologist to ensure that no birds are using them. If all nests were abandoned, they would be removed. Inspection of the nests between July and September may also reveal that the young have fledged; if all nests were abandoned,

they would be removed. Burying the perennial waterway between Avenues 400 and 396 along the westside of Road 80 would occur during the non-breeding season to prevent the loss of swallows or their nests.

Threatened and Endangered Species

- Environmentally Sensitive Areas would be designated by placing construction-barrier fencing or stakes and flagging to protect sensitive biological resources.
- A qualified biological monitor would be provided during construction to ensure measures are implemented.
- Environmental awareness training would be conducted for construction crews before project implementation.
- Preconstruction surveys for San Joaquin kit fox dens would be conducted, and exclusion zones would be established for dens found.
- Construction areas would be watered down to control dust in the vicinity of elderberry shrubs.
- Permanent barriers would be installed to prevent road runoff from having an indirect effect on vernal pool/seasonal wetland habitat.
- Direct effects to 11 elderberry shrubs would be compensated by transplanting the shrubs to a U.S. Fish and Wildlife Service-approved conservation area according to the Conservation Guideline for the Valley elderberry longhorn beetle
- Mitigation credits would be purchased at U.S. Fish and Wildlife Service-approved mitigation banks to compensate for direct and indirect effects on vernal pool/seasonal wetland habitat and agricultural and annual grassland habitat.

Appendix F Farmland Conversion Impact Rating

U.S. Department of Agriculture

FARMLAND CONVERSION IMPACT RATING

PART I *(To be completed by Federal Agency)*	Date Of Land Evaluation Request: May 3, 2000
Name Of Project: Tulare County Road 80 Widening Project	Federal Agency Involved: Federal Highway Administration
Proposed Land Use: Highway	County And State: Tulare, California
PART II *(To be completed by SCS)*	Date Request Received By SCS

Does the site contain prime, unique, statewide or local important farmland? Yes ☑ No ☐ *(If no, the FPPA does not apply — do not complete additional parts of this form).*

Acres Irrigated: 724,900 | Average Farm Size: 240

Major Crop(s): Cotton, Alfalfa

Farmable Land In Govt. Jurisdiction: Acres: 750,500 % 24

Amount Of Farmland As Defined in FPPA: Acres: N/A %

Name Of Land Evaluation System Used: Calif. Storie System

Name Of Local Site Assessment System: None

Date Land Evaluation Returned By ~~SCS~~ NRCS: 5/10/00

PART III *(To be completed by Federal Agency)*	Alternative Site Rating: Site A	Site B	Site C	Site D
A. Total Acres To Be Converted Directly	54.1			
B. Total Acres To Be Converted Indirectly	0			
C. Total Acres In Site	54.1			
PART IV *(To be completed by SCS)* Land Evaluation Information				
A. Total Acres Prime And Unique Farmland Prime	23.8			
B. Total Acres Statewide And Local Important Farmland	30.3			
C. Percentage Of Farmland In County Or Local Govt. Unit To Be Converted	.00007			
D. Percentage Of Farmland In Govt. Jurisdiction With Same Or Higher Relative Value	N/A			
PART V *(To be completed by SCS)* Land Evaluation Criterion Relative Value Of Farmland To Be Converted *(Scale of 0 to 100 Points)*	60			

PART VI *(To be completed by Federal Agency)* Site Assessment Criteria *(These criteria are explained in 7 CFR 658.5(b)*	Maximum Points	Site A	Site B	Site C	Site D
1. Area In Nonurban Use	15	12			
2. Perimeter In Nonurban Use	10	8			
3. Percent Of Site Being Farmed	20	15			
4. Protection Provided By State And Local Government	20	16			
5. Distance From Urban Builtuo Area	0	0			
6. Distance To Urban Support Services	0	0			
7. Size Of Present Farm Unit Compared To Average	10	7			
8. Creation Of Nonfarmable Farmland	25	0			
9. Availability Of Farm Support Services	5	5			
10. On-Farm Investments	20	16			
11. Effects Of Conversion On Farm Support Services	25	0			
12. Compatibility With Existing Agricultural Use	10	4			
TOTAL SITE ASSESSMENT POINTS	160	83			
PART VII *(To be completed by Federal Agency)*					
Relative Value Of Farmland *(From Part V)*	100	60			
Total Site Assessment *(From Part VI above or a local site assessment)*	160	83			
TOTAL POINTS *(Total of above 2 lines)*	260	143			

Site Selected: | Date Of Selection | Was A Local Site Assessment Used? Yes ☐ No ☐

Reason For Selection:

(See instructions on reverse side) Form AD-1006

Appendix G SHPO Concurrence Letter

STATE OF CALIFORNIA – THE RESOURCES AGENCY

GRAY DAVIS, Governor

OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION
P.O. BOX 942896
SACRAMENTO, CA 94296-0001
(916) 653-6624 Fax: (916) 653-9824
calshpo@mail2.quiknet.com

March 1, 2001

REPLY TO: FHWA010205A

Michael G. Ritchie, Division Administrator
Federal Highway Administration
Region Nine, California Division
980 Ninth Street, Suite 400
SACRAMENTO CA 95814-2724

Re: Widening of Road 80 between the Cities of Dinuba and Visalia in Tulare County.

Dear Mr. Ritchie:

Thank you for submitting to our office your January 30, 2001 letter and Historic Properties Survey Report (HPSR) regarding the proposed widening of 16 miles of Road 80 between the cities of Dinuba and Visalia in Tulare County. The principle work would involve widening the existing Road 80 right-of-way from two lanes to a 4- or 6-lane configuration from El Monte Way (Avenue 416) in Dinuba to Airport Drive in Visalia, reconstructing the Plaza Drive/SR198 interchange, widening bridges that span water courses and irrigation canals, widening railroad crossings, realigning irrigation canals and utilities, and acquiring property as required. The Area of Potential Effect (APE) for this project appears to be adequate, and meets to the definitions set forth in 36 CFR 800.16(d).

The Federal Highway Administration (FHWA) is seeking our comments on its determination of the eligibility of 93 buildings/building complexes, 13 pre-1955 engineering and landscape features and eight bridges located within the project APE for inclusion on the National Register of Historic Places (NRHP) in accordance with 36 CFR 800, regulations implementing Section 106 of the National Historic Preservation Act. Our review of the submitted documentation leads us to concur with FHWA's determination that the following property is eligible for inclusion on the NRHP:

- The Wylie Mansion, 655 South Alta Avenue, Dinuba, Criteria B and C

The Wylie Mansion was the residence of George Washington Wylie, an important figure in the early development of the area's grape growing industry, an influential member of the statewide Grape Growers Association, and a two-term state assemblyman. The property has also retained sufficient integrity of design, materials, and workmanship to enable it to convey its associations with its historic period of significance (1903-1950). The National Register eligibility of the structure is limited solely to the house itself and not the surrounding grounds, which have been modified over the years for parking purposes.

We also concur with FHWA's the remaining 92 buildings/building complexes, 13 pre-1955 engineering and landscape features and eight bridges are ineligible for inclusion on the NRHP under any of the criteria established by 36 CFR 60.4. The

properties do not have strong associations with significant historical events or persons, nor are they examples of outstanding architectural or engineering design and function. We are encouraged to note that FHWA will forward to our office, as soon as is feasible, a "Finding of Effect' document that will take into account the proposed project's potential impacts on historic properties.

Thank you again for seeking our comments on your project. If you have any questions, please contact staff historian Clarence Caesar at (916) 653-8902.

Sincerely,

Dr. Knox Mellon
State Historic Preservation Officer

Appendix H SHPO FONAE Concurrence Letter

Zeuss P-36809

STATE OF CALIFORNIA – THE RESOURCES AGENCY
GRAY DAVIS, Governor

OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION
POX 942896
SACRAMENTO, CA 94296-0001
(916) 653-6624 Fax: (916) 653-9624
calshpo@mail2.quiknet.com

September 6, 2001

REPLY TO: FHWA010518K

Michael G. Ritchie, Division Administrator
Federal Highway Administration
Region Nine, California Division
980 Ninth Street, Suite 400
SACRAMENTO CA 95814-2724

Re: Finding of Effect Documentation for the Widening of Road 80 between the Cities of Dinuba and Visalia in Tulare County.

Dear Mr. Ritchie:

Thank you for submitting to our office your May 15, 2001 letter and Finding of No Adverse Effect (FONAE) documentation regarding the proposed widening of 16 miles of Road 80 between the cities of Dinuba and Visalia in Tulare County. The principle work would involve widening the existing Road 80 right-of-way from two lanes to a 4- or 6-lane configuration from El Monte Way (Avenue 416) in Dinuba to Airport Drive in Visalia, reconstructing the Plaza Drive/SR198 interchange, widening bridges that span water courses and irrigation canals, widening railroad crossings, realigning irrigation canals and utilities, and acquiring property as required. Our letter of March 1, 2001 addressed the issues of the project Area of Potential Effects (APE), and the determination of eligibility of architectural and archeological properties within the project APE for inclusion on the National Register of Historic Places (NRHP). Only one property, the Wylie Mansion in Dinuba, Tulare County, was determined eligible for inclusion on the NRHP.

FHWA is seeking our comments on its determination of the effects the proposed project will have on the Wylie Mansion in accordance with 36 CFR 800, regulations implementing Section 106 of the National Historic Preservation Act. Our review of the submitted documentation leads us to concur with FHWA's determination that the proposed project, as described, will have no adverse effect on the Wylie Mansion. The proposed work will not significantly alter or change those characteristics that contribute to the property's eligibility for inclusion on the NRHP.

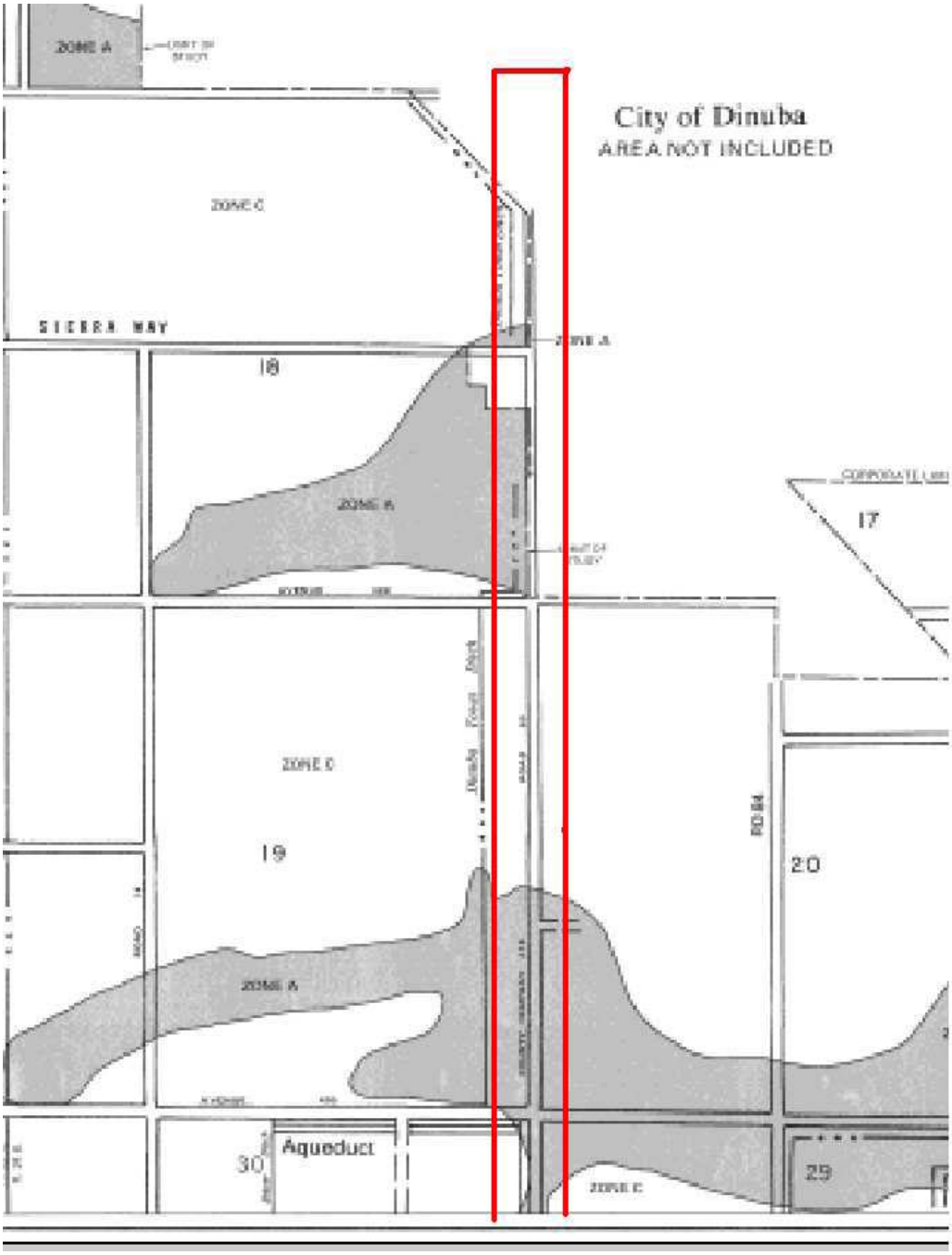
Thank you again for seeking our comments on your project. If you have any questions, please contact staff historian Clarence Caesar at (916) 653-8902.

Sincerely,

RECEIVED
SEP 13 2001
FHWA-Sacramento

Dr. Knox Mellon
State Historic Preservation Officer

Appendix I Federal Emergency Management Agency Maps



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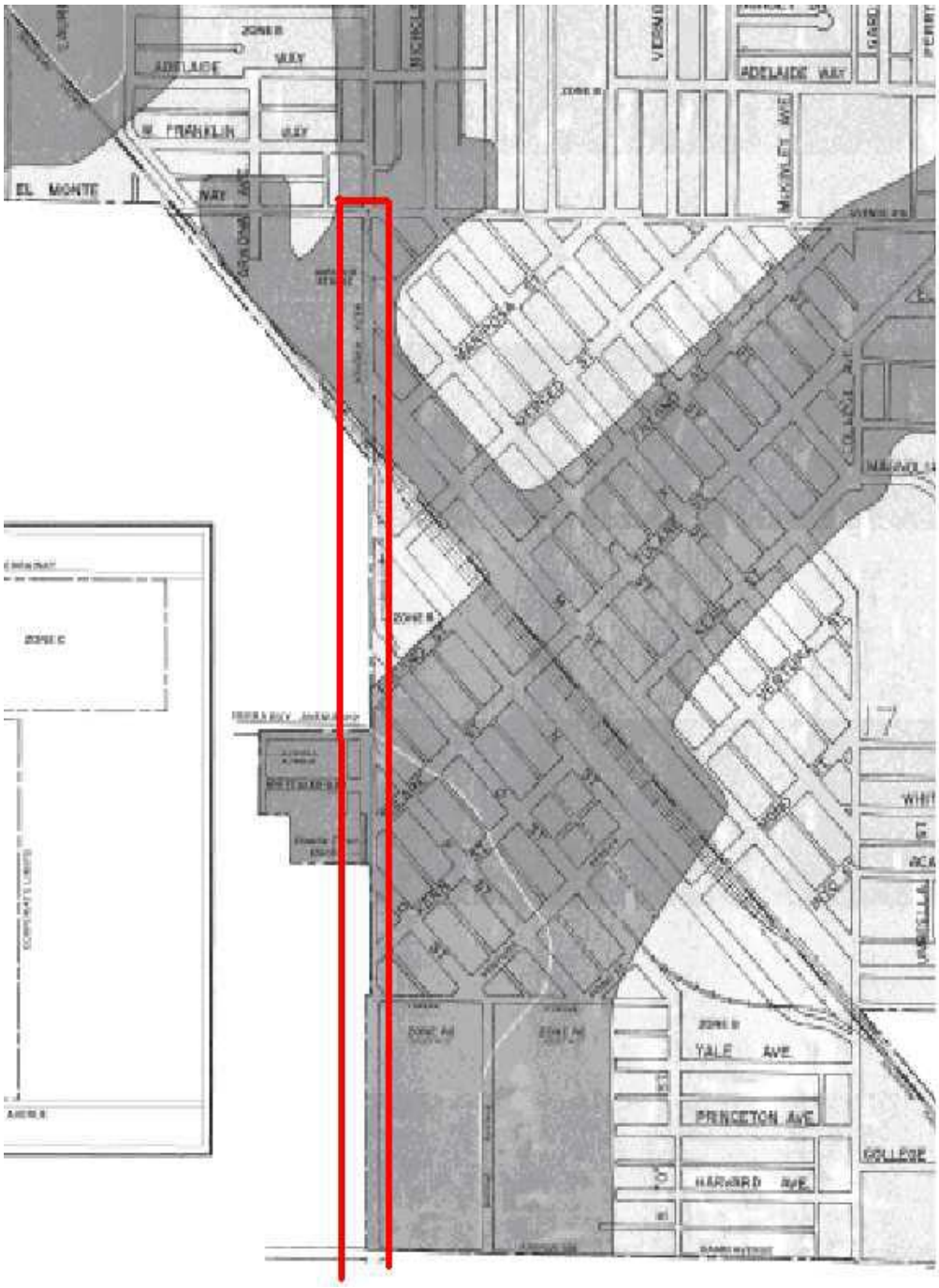

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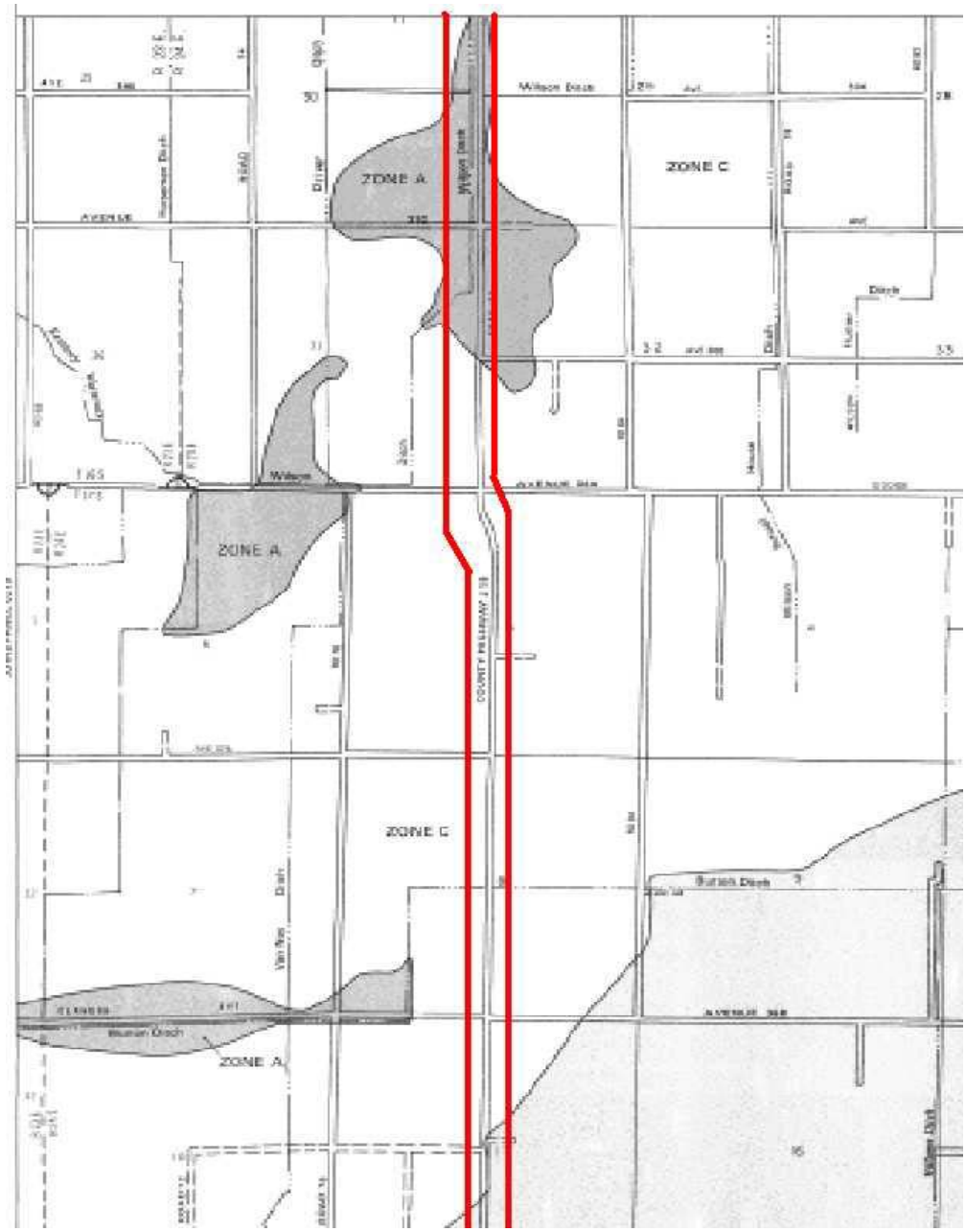

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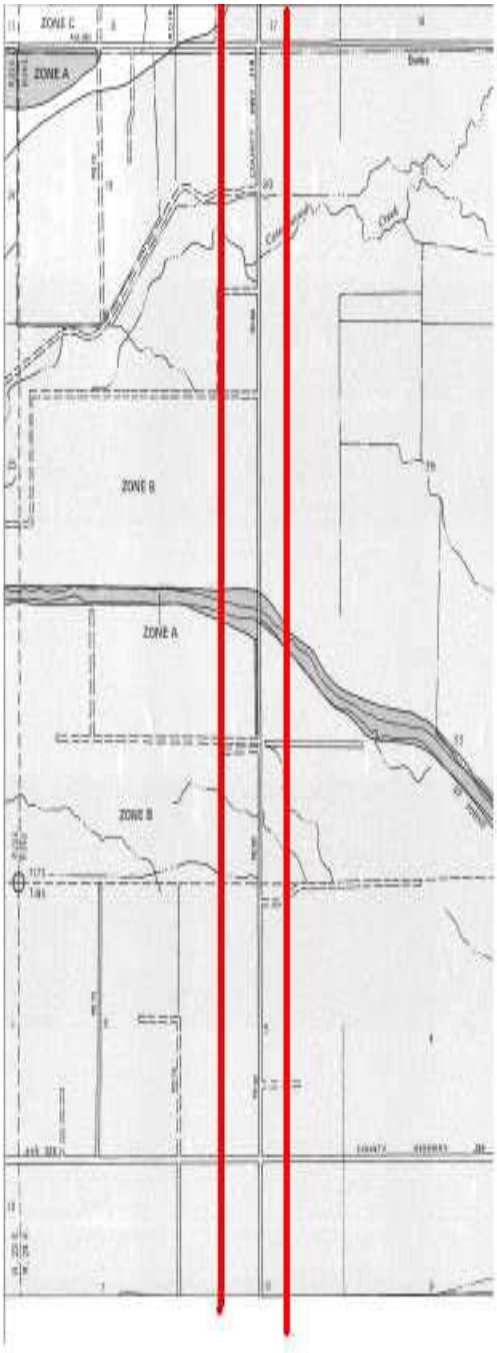

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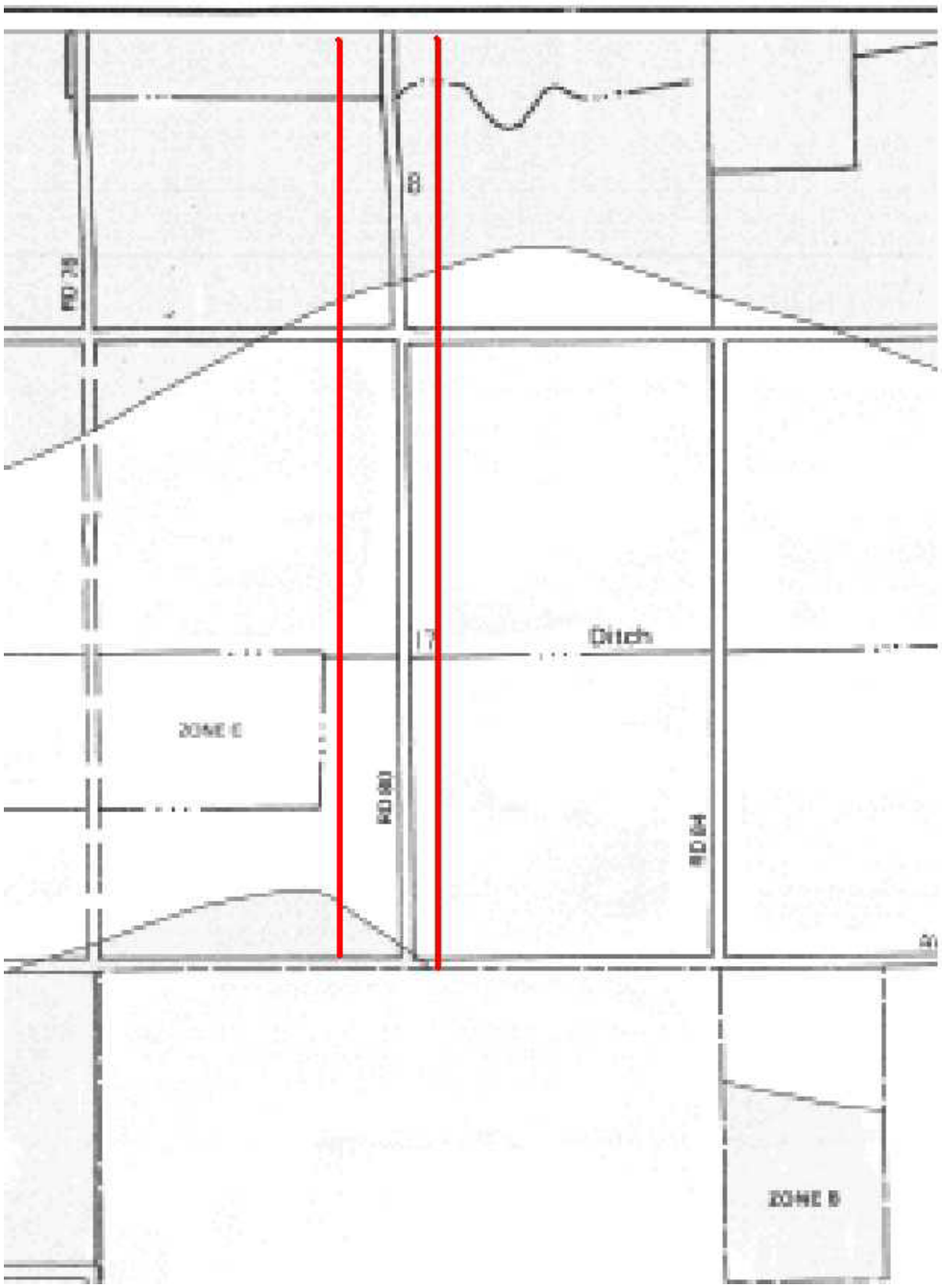

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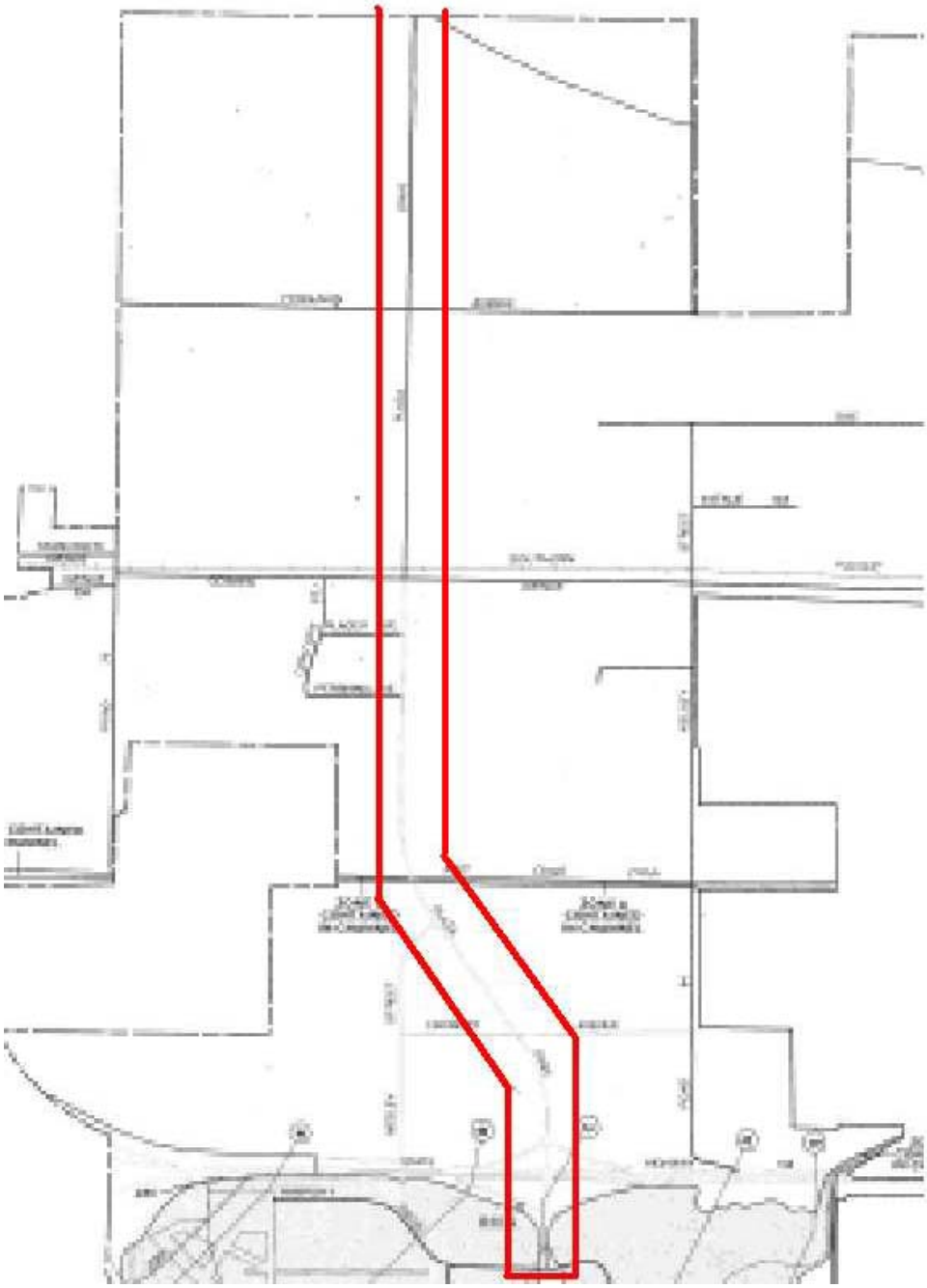

FEMA 06040 90005D

Appendix J San Joaquin Valley Air Pollution Control District, State Implementation Plan Rule 8061

As published in the Federal Register on February 26, 2003 (68 Federal Register 8830), San Joaquin Valley Air Pollution Control District State Implementation Plan Rule 8061 *Paved and Unpaved Roads* contains the following requirements applicable to new or modified paved roads:

5.1.1 An owner/operator having jurisdiction over, or ownership of, public or private paved roads shall construct, or require to be constructed, all new or modified paved roads in conformance with the American Association of State Highway and Transportation Officials (AASHTO) guidelines for width of shoulders and median shoulders as specified below:

5.1.1.1 New paved roads or modifications to existing paved roads with projected average daily vehicle trips of 500 vehicles or more shall be constructed with paved shoulders that meet following widths:

Annual Average Daily Vehicle Trips	*Minimum Paved or Stabilized Shoulder Width in Feet*
500-3000	*4*
Greater than 3000	*8*

5.1.1.2 A curbing adjacent to and contiguous with the travel lane or paved shoulder of a road may be constructed, in lieu of meeting the paved shoulder width standard in Section 5.1.1.1.

5.1.1.3 Intersections, auxiliary entry lanes, and auxiliary exit lanes may be constructed adjacent to and contiguous with the roadway, in lieu of meeting the paved shoulder width standard in Section 5.1.1.1.

5.1.1.4 New paved road construction or modifications to an existing paved road that are required to comply with California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) determinations regarding environmental, cultural, archaeological, historical, or other considerations addressed in such documents, are exempt from the paved shoulder width requirements specified in Section 5.1 of this rule.

5.1.1.5 Whenever any paved road which has projected annual average daily vehicle trips of 500 or more is constructed, or modified with medians, the medians shall be constructed with paved shoulders having a minimum width of four feet adjacent to the traffic lanes unless:

5.1.1.5.1 The medians of roads having speed limits set at or below 45 miles per hour are constructed with curbing; or

5.1.1.5.2 The medians are landscaped and maintained with grass or other vegetative ground cover to comply with the definition of stabilized surface in Rule 8011.

5.1.2 In lieu of complying with the paving or vegetation requirements of Section 5.1.1, the agency, owner, or operator may apply oils or other chemical/organic suppressants/stabilizers as defined in Rule 8011 to the required width of shoulder and median areas as specified in Section 5.1.1. The material shall be reapplied and maintained to limit VDE to 20% opacity and fulfill conditions for a stabilized surface as specified in Rule 8011

Appendix K Letters of Verification from U.S. Army Corps of Engineers and Natural Resources Conservation Service

DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, SACRAMENTO
CORPS OF ENGINEERS
1325 J STREET
SACRAMENTO, CALIFORNIA 95814-2922

REPLY TO ATTENTION OF

August 9, 2000

Regulatory Branch (200000364)

Becky Rozumowicz
Jones and Stokes
2600 V Street
Sacramento, California 95818-1914

Dear Ms. Rozumowicz:

This letter concerns the delineation of waters of the United States, including wetlands, you have provided for the Road 80 Widening project. This project is located along 15 miles of Road 80 from Avenue 416 (El Monte Avenue) in the City of Dinuba to Airport Drive in the City of Visalia, Tulare County, California.

We have reviewed and verified the June 20, 2000, drawing of the Road 80 Widening project site which shows approximately 5.025 acres of waters of the United States within the surveyed area. We understand that the Natural Resource Conservation Service will be verifying any wetlands that may be located within the project boundary. The channels on-site are seasonal and perennial streams which were determined by the presence of a defined bed and bank.

Our jurisdiction in this area is under Section 404 of the Clean Water Act. A Department of the Army permit is required prior to discharging dredged or fill materials into waters of the United States. Accordingly, a permit will be required prior to filling any of the waters present on the property. The type of permit required will depend on the type and amount of waters which would be lost or adversely modified by fill activities.

This verification is valid for five years from the date of this letter unless new information warrants revision of the determination before the expiration date. Please refer to identification number 200000364 in any correspondence concerning this project. If you have any questions, please write to Ms. Jill Russi, Room 1480 at the letterhead address, or telephone (916)557-6704.

Sincerely,

Kevin Roukey
Chief, San Joaquin Valley Office

USDA United States Department of Agriculture
Natural Resources Conservation Service
3530 W. Orchard Court
Visalia, CA 93277
Phone (559) 734-8732
FAX (559) 732-2805

August 15, 2000

To: Jones & Stokes
2600 V Street
Sacramento CA 95818-1914

Subject: Wetland Certification: Road 80 Project (Tulare County)

Joe Williams of the Visalia FO, NRCS, has reviewed the wetland verification maps and documentation prepared by your firm and transmitted to our office on July 20, 2000. The NRCS concurs with this wetland report. This report accurately represents the size and location of statutory wetlands and is acceptable to the Natural Resources Conservation Service.

If anyone associated with these identified wetlands plans to rip, drain, fill or otherwise modify wetlands, waters of the United States or riparian areas they will need, as a minimum, a 404 permit from the COE prior to performing work.

To appeal a highly erodible land/wetland determination or verification of wetland Delineation, send a letter addressed to this office and postmarked within 30 days. NRCS will process the appeal and issue a final determination or verification within 30 days of your request. A final determination of verification can also be appealed to the Farm Services Agency, Tulare County Committee, 3530 W. Orchard Ct., Visalia, CA 93277.

Mike Jeffries
District Conservationist

Cc: Larry Norris, Area Biologist
Joe Williams, Agronomist

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL			
Applicant:		File Number: 200000364	Date: 08/08/00
Attached is:			See Section below
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)		A
	PROFFERED PERMIT (Standard Permit or Letter of permission)		B
	PERMIT DENIAL		C
X	APPROVED JURISDICTIONAL DETERMINATION		D
	PRELIMINARY JURISDICTIONAL DETERMINATION		E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at http://usace.army.mil/inet/functions/cw/cecwo/reg or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- OBJECT: If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- APPEAL: If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- ACCEPT: You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- APPEAL: If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact:	If you only have questions regarding the appeal process you may also contact:
Jill Russi, Regulatory Project Manager 1325 J Street, Room 1480 Sacramento, CA 95814-2922 PHONE: 916-557-6704	Kevin Roukey, Chief, San Joaquin Valley Office, Regulatory Br 1325 J Street, Room 1480 Sacramento, CA 95814-2922 PHONE: 916-557-5266

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

	Date:	Telephone number:
_____ Signature of appellant or agent.		

Appendix L California State Species of Concern

California Department of Fish and Game
Natural Diversity Database
CNDDB Wide Tabular Report

Name (Scientific/Common)	CNDDB Ranks	Other Lists	Listing Status	Total EO's	Element Occ Ranks						Population Status		Presence		
					A	B	C	D	X	U	Historic >20 yr	Recent <=20 yr	Pres. Extant	Poss. Extirp.	Extirp.
Ambystoma californiense California tiger salamander	G2G3 S2S3	CDFG: SC	Fed: Threatened Cal: None	811 S:1	0	0	0	0	0	1	0	1	1	0	0
Branchinecta lynchi vernal pool fairy shrimp	G3 S2S3	CDFG:	Fed: Threatened Cal: None	368 S:4	0	1	1	0	0	2	0	4	4	0	0
Desmocerus californicus dimorphus valley elderberry longhorn beetle	G3T2 S2	CDFG:	Fed: Threatened Cal: None	191 S:1	0	1	0	0	0	0	0	1	1	0	0
Lepidurus packardi vernal pool tadpole shrimp	G3 S2S3	CDFG:	Fed: Endangered Cal: None	221 S:2	0	0	2	0	0	0	0	2	2	0	0
Pseudobahia peirsonii San Joaquin adobe sunburst	G2 S2.1	CNPS: 1B Code: 2-3-3	Fed: Threatened Cal: Endangered	41 S:1	0	0	0	0	1	0	1	0	0	0	1
Vulpes macrotis mutica San Joaquin kit fox	G4T2T3 S2S3	CDFG:	Fed: Endangered Cal: Threatened	204 S:3	0	0	1	0	0	2	0	3	3	0	0

Government Version -- Dated September 30, 2005 -- Wildlife and Habitat Data Analysis Branch
Report Printed on Friday, December 02, 2005

Information Expires 03/30/2006

Page 1

Appendix M USFWS–State and Federal Threatened and Endangered Species List

Federal Endangered and Threatened Species that Occur in or may be Affected by Projects in the Counties and/or U.S.G.S. 7 1/2 Minute Quads you requested
Document Number: 051209050839
Database Last Updated: November 3, 2005

CRITICAL HABITAT:

On August 11, 2005, the Service published a revised critical habitat designation for vernal pool species. It did not specify critical habitat locations on a species by species basis. If there are species on the list(s) below that were covered under the rule, they are shown because we believe that they are present in the area or may be affected by projects in the area, not because it has specifically been designated as critical habitat for them.

Quad Lists

TRAVER (334B)

Listed Species

Invertebrates

Branchinecta conservatio - Conservancy fairy shrimp (E)
Branchinecta conservatio - Critical habitat, Conservancy fairy shrimp (X)
Branchinecta lynchi - Critical habitat, vernal pool fairy shrimp (X)
Branchinecta lynchi - vernal pool fairy shrimp (T)
Desmocerus californicus dimorphus - valley elderberry longhorn beetle (T)
Lepidurus packardi - Critical habitat, vernal pool tadpole shrimp (X)
Lepidurus packardi - vernal pool tadpole shrimp (E)

Fish

Hypomesus transpacificus - delta smelt (T)

Amphibians

Ambystoma californiense - California tiger salamander, central pppulation (T)
Ambystoma californiense - Critical habitat, CA tiger salamander, central population (X)
Rana aurora draytonii - California red-legged frog (T)

Reptiles

Gambelia (=Crotaphytus) sila - blunt-nosed leopard lizard (E)
Thamnophis gigas - giant garter snake (T)

Birds

Haliaeetus leucocephalus - bald eagle (T)

Mammals

Dipodomys nitratoides exilis - Fresno kangaroo rat (E)
Dipodomys nitratoides nitratoides - Tipton kangaroo rat (E)
Vulpes macrotis mutica - San Joaquin kit fox (E)

Species of Concern

Invertebrates

Linderiella occidentalis - California linderiella fairy shrimp (SC)

Lytta molesta - molestan blister beetle (SC)

Fish

Pogonichthys macrolepidotus - Sacramento splittail (SC)
Spirinchus thaleichthys - longfin smelt (SC)

Amphibians

Spea hammondii (was Scaphiopus h.) - western spadefoot toad (SC)

Reptiles

Clemmys marmorata marmorata - northwestern pond turtle (SC)
Clemmys marmorata pallida - southwestern pond turtle (SC)
Phrynosoma coronatum frontale - California horned lizard (SC)

Birds

Agelaius tricolor - tricolored blackbird (SC)
Athene cunicularia hypugaea - western burrowing owl (SC)
Branta canadensis leucopareia - Aleutian Canada goose (D)
Buteo regalis - ferruginous hawk (SC)
Buteo Swainsoni - Swainson's hawk (CA)
Calypte costae - Costa's hummingbird (SC)
Carduelis lawrencei - Lawrence's goldfinch (SC)
Chaetura vauxi - Vaux's swift (SC)
Charadrius montanus - mountain plover (SC)
Elanus leucurus - white-tailed (=black shouldered) kite (SC)
Empidonax traillii brewsteri - little willow flycatcher (CA)
Falco peregrinus anatum - American peregrine falcon (D)
Grus canadensis tabida - greater sandhill crane (CA)
Lanius ludovicianus - loggerhead shrike (SC)
Melanerpes lewis - Lewis' woodpecker (SC)
Numenius americanus - long-billed curlew (SC)
Picoides nuttallii - Nuttall's woodpecker (SLC)
Plegadis chihi - white-faced ibis (SC)
Selasphorus rufus - rufous hummingbird (SC)

Mammals

Corynorhinus (=Plecotus) townsendii townsendii - Pacific western big-eared bat (SC)
Eumops perotis californicus - greater western mastiff-bat (SC)
Myotis ciliolabrum - small-footed myotis bat (SC)
Myotis thysanodes - fringed myotis bat (SC)
Myotis volans - long-legged myotis bat (SC)
Myotis yumanensis - Yuma myotis bat (SC)
Onychomys torridus tularensis - Tulare grasshopper mouse (SC)
Perognathus inornatus - San Joaquin pocket mouse (SC)

GOSHEN (334C)

Listed Species

Invertebrates

Branchinecta lynchi - vernal pool fairy shrimp (T)
Desmocerus californicus dimorphus - valley elderberry longhorn beetle (T)
Lepidurus packardi - vernal pool tadpole shrimp (E)

Fish

Hypomesus transpacificus - delta smelt (T)

Amphibians

Ambystoma californiense - California tiger salamander, central pppulation (T)
Rana aurora draytonii - California red-legged frog (T)

Reptiles

Gambelia (=Crotaphytus) sila - blunt-nosed leopard lizard (E)
Thamnophis gigas - giant garter snake (T)

Birds

Haliaeetus leucocephalus - bald eagle (T)

Mammals

Dipodomys nitratoides exilis - Fresno kangaroo rat (E)
Dipodomys nitratoides nitratoides - Tipton kangaroo rat (E)
Vulpes macrotis mutica - San Joaquin kit fox (E)

Species of Concern

Invertebrates

Linderiella occidentalis - California linderiella fairy shrimp (SC)
Lytta molesta - molestan blister beetle (SC)

Fish

Pogonichthys macrolepidotus - Sacramento splittail (SC)
Spirinchus thaleichthys - longfin smelt (SC)

Amphibians

Spea hammondii (was Scaphiopus h.) - western spadefoot toad (SC)

Reptiles

Clemmys marmorata marmorata - northwestern pond turtle (SC)
Clemmys marmorata pallida - southwestern pond turtle (SC)
Phrynosoma coronatum frontale - California horned lizard (SC)

Birds

Ambystoma californiense - California tiger salamander, central pppulation (T)
Rana aurora draytonii - California red-legged frog (T)

Reptiles

Gambelia (=Crotaphytus) sila - blunt-nosed leopard lizard (E)
Thamnophis gigas - giant garter snake (T)

Birds

Haliaeetus leucocephalus - bald eagle (T)

Mammals

Dipodomys nitratoides exilis - Fresno kangaroo rat (E)
Dipodomys nitratoides nitratoides - Tipton kangaroo rat (E)

Species of Concern

Invertebrates

Cicindela tranquebarica ssp. - San Joaquin tiger beetle (SC)
Linderiella occidentalis - California linderiella fairy shrimp (SC)
Lytta molesta - molestan blister beetle (SC)

Fish

Lampetra hubbsi - Kern brook lamprey (SC)
Pogonichthys macrolepidotus - Sacramento splittail (SC)
Spirinchus thaleichthys - longfin smelt (SC)

Amphibians

Rana boylii - foothill yellow-legged frog (SC)
Spea hammondii (was Scaphiopus h.) - western spadefoot toad (SC)

Reptiles

Clemmys marmorata marmorata - northwestern pond turtle (SC)
Clemmys marmorata pallida - southwestern pond turtle (SC)
Phrynosoma coronatum frontale - California horned lizard (SC)

Birds

Accipiter gentilis - northern goshawk (SC)
Agelaius tricolor - tricolored blackbird (SC)
Athene cunicularia hypugaea - western burrowing owl (SC)
Branta canadensis leucopareia - Aleutian Canada goose (D)
Buteo regalis - ferruginous hawk (SC)
Buteo Swainsoni - Swainson's hawk (CA)
Calypte costae - Costa's hummingbird (SC)
Carduelis lawrencei - Lawrence's goldfinch (SC)
Chaetura vauxi - Vaux's swift (SC)
Charadrius montanus - mountain plover (SC)

Agelaius tricolor - tricolored blackbird (SC)
Athene cunicularia hypugaea - western burrowing owl (SC)
Branta canadensis leucopareia - Aleutian Canada goose (D)
Buteo regalis - ferruginous hawk (SC)
Buteo Swainsoni - Swainson's hawk (CA)
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Carduelis lawrencei - Lawrence's goldfinch (SC)
Chaetura vauxi - Vaux's swift (SC)
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Elanus leucurus - white-tailed (=black shouldered) kite (SC)
Empidonax traillii brewsteri - little willow flycatcher (CA)
Falco peregrinus anatum - American peregrine falcon (D)
Grus canadensis tabida - greater sandhill crane (CA)
Lanius ludovicianus - loggerhead shrike (SC)
Melanerpes lewis - Lewis' woodpecker (SC)
Numenius americanus - long-billed curlew (SC)
Picoides nuttallii - Nuttall's woodpecker (SLC)
Plegadis chihi - white-faced ibis (SC)
Selasphorus rufus - rufous hummingbird (SC)

Mammals

Ammospermophilus nelsoni - San Joaquin (=Nelson's) antelope squirrel (CA)
Corynorhinus (=Plecotus) townsendii townsendii - Pacific western big-eared bat (SC)
Eumops perotis californicus - greater western mastiff-bat (SC)
Myotis ciliolabrum - small-footed myotis bat (SC)
Myotis volans - long-legged myotis bat (SC)
Myotis yumanensis - Yuma myotis bat (SC)
Onychomys torridus tularensis - Tulare grasshopper mouse (SC)
Perognathus inornatus - San Joaquin pocket mouse (SC)

Plants

Atriplex cordulata - heartscale (SC)
Atriplex subtilis - subtle orache (SLC)

REEDLEY (356C)

Listed Species

Invertebrates

Branchinecta lynchi - vernal pool fairy shrimp (T)
Desmocerus californicus dimorphus - valley elderberry longhorn beetle (T)

Fish

Hypomesus transpacificus - delta smelt (T)

Amphibians

Cypseloides niger - black swift (SC)
Elanus leucurus - white-tailed (=black shouldered) kite (SC)
Empidonax traillii brewsteri - little willow flycatcher (CA)
Falco peregrinus anatum - American peregrine falcon (D)
Grus canadensis tabida - greater sandhill crane (CA)
Lanius ludovicianus - loggerhead shrike (SC)
Melanerpes lewis - Lewis' woodpecker (SC)
Numenius americanus - long-billed curlew (SC)
Picoides nuttallii - Nuttall's woodpecker (SLC)
Plegadis chihi - white-faced ibis (SC)
Selasphorus rufus - rufous hummingbird (SC)

Mammals

Corynorhinus (=Plecotus) townsendii townsendii - Pacific western big-eared bat (SC)
Euderma maculatum - spotted bat (SC)
Eumops perotis californicus - greater western mastiff-bat (SC)
Myotis ciliolabrum - small-footed myotis bat (SC)
Myotis evotis - long-eared myotis bat (SC)
Myotis thysanodes - fringed myotis bat (SC)
Myotis volans - long-legged myotis bat (SC)
Myotis yumanensis - Yuma myotis bat (SC)
Onychomys torridus ramona - Southern grasshopper mouse (SC)
Perognathus inornatus - San Joaquin pocket mouse (SC)

County Lists

Tulare County

Listed Species

Invertebrates

Branchinecta lynchi - Critical habitat, vernal pool fairy shrimp (X)
Branchinecta lynchi - vernal pool fairy shrimp (T)
Desmocerus californicus dimorphus - valley elderberry longhorn beetle (T)
Lepidurus packardi - Critical habitat, vernal pool tadpole shrimp (X)
Lepidurus packardi - vernal pool tadpole shrimp (E)

Fish

Oncorhynchus (=Salmo) aquabonita whitei - Critical habitat, little Kern golden trout (X)
Oncorhynchus (=Salmo) aquabonita whitei - Little Kern golden trout (T)

Amphibians

Ambystoma californiense - California tiger salamander, central pppulation (T)
Ambystoma californiense - Critical habitat, CA tiger salamander, central population (X)
Rana aurora draytonii - California red-legged frog (T)

Reptiles

Gambelia (=Crotaphytus) sila - blunt-nosed leopard lizard (E)
Thamnophis gigas - giant garter snake (T)

Birds

Gymnogyps californianus - California condor (E)
Gymnogyps californianus - Critical habitat, California condor (X)
Haliaeetus leucocephalus - bald eagle (T)

Mammals

Dipodomys ingens - giant kangaroo rat (E)
Dipodomys nitratoides exilis - Fresno kangaroo rat (E)
Dipodomys nitratoides nitratoides - Tipton kangaroo rat (E)
Ovis canadensis californiana - Sierra Nevada (=California) bighorn sheep (E)
Vulpes macrotis mutica - San Joaquin kit fox (E)

Plants

Chamaesyce hooveri - Critical habitat, Hoover's spurge (X)
Chamaesyce hooveri - Hoover's spurge (T)
Clarkia springvillensis - Springville clarkia (T)
Orcuttia inaequalis - Critical habitat, San Joaquin Valley Orcutt grass (X)
Pseudobahia peirsonii - San Joaquin adobe sunburst (T)
Sidalcea keckii - Critical habitat, Keck's checker-mallow (X)
Sidalcea keckii - Keck's checker-mallow (=checkerbloom) (E)

Candidate Species

Amphibians

Rana muscosa - mountain yellow-legged frog (C)

Mammals

Martes pennanti - fisher (C)

Plants

Abronia alpina - Ramshaw sand-verbena (C)

Species of Concern

Invertebrates

Cicindela tranquebarica ssp. - San Joaquin tiger beetle (SC)
Cryptochia denningi - Denning's cryptic caddisfly (SC)
Cryptochia excella - Kings Canyon cryptochian caddisfly (SC)
Linderiella occidentalis - California linderiella fairy shrimp (SC)
Lytta hoppingi - Hopping's blister beetle (SC)
Lytta moesta - moestan blister beetle (SC)
Lytta molesta - molestan blister beetle (SC)
Lytta morrisoni - Morrison's blister beetle (SC)
Plebulina emigdionis - San Emigdio blue butterfly (SC)

Fish

Lampetra hubbsi - Kern brook lamprey (SC)
Oncorhynchus (=Salmo) mykiss aquabonita - California ("Volcano Creek") golden trout (SC)
Oncorhynchus (=Salmo) mykiss gilberti - Kern River rainbow trout (SC)
Pogonichthys macrolepidotus - Sacramento splittail (SC)

Amphibians

Batrachoseps relictus (=pacificus) - relictual slender salamander (SC)
Batrachoseps simatus - Kern Canyon slender salamander (CA)
Ensatina eschscholtzii croceator - yellow-blotched ensatina (SC)
Hydromantes platycephalus - Mount Lyell salamander (SC)
Rana boylii - foothill yellow-legged frog (SC)
Spea hammondii (was Scaphiopus h.) - western spadefoot toad (SC)

Reptiles

Clemmys marmorata marmorata - northwestern pond turtle (SC)
Clemmys marmorata pallida - southwestern pond turtle (SC)
Masticophis flagellum ruddocki - San Joaquin coachwhip (=whipsnake) (SC)
Phrynosoma coronatum frontale - California horned lizard (SC)

Birds

Accipiter gentilis - northern goshawk (SC)
Agelaius tricolor - tricolored blackbird (SC)
Amphispiza belli belli - Bell's sage sparrow (SC)
Athene cunicularia hypugaea - western burrowing owl (SC)
Baeolophus inornatus - oak titmouse (SLC)
Botaurus lentiginosus - American bittern (SC)

Branta canadensis leucopareia - Aleutian Canada goose (D)
Buteo regalis - ferruginous hawk (SC)
Calypte costae - Costa's hummingbird (SC)
Carduelis lawrencei - Lawrence's goldfinch (SC)
Chaetura vauxi - Vaux's swift (SC)
Charadrius montanus - mountain plover (SC)
Cinclus mexicanus - American dipper (SLC)
Contopus cooperi - olive-sided flycatcher (SC)
Cypseloides niger - black swift (SC)
Elanus leucurus - white-tailed (=black shouldered) kite (SC)
Empidonax traillii brewsteri - little willow flycatcher (CA)
Falco peregrinus anatum - American peregrine falcon (D)
Grus canadensis tabida - greater sandhill crane (CA)
Lanius ludovicianus - loggerhead shrike (SC)
Melanerpes lewis - Lewis' woodpecker (SC)
Numenius americanus - long-billed curlew (SC)
Otus flammeolus - flammulated owl (SC)
Picoides albolarvatus - white-headed woodpecker (SC)
Picoides nuttallii - Nuttall's woodpecker (SLC)
Plegadis chihi - white-faced ibis (SC)
Riparia riparia - bank swallow (CA)
Selasphorus rufus - rufous hummingbird (SC)
Sphyrapicus ruber - red-breasted sapsucker (SC)
Strix occidentalis occidentalis - California spotted owl (SC)
Toxostoma lecontei macmillanorum - San Joaquin LeConte's thrasher (SC)
Toxostoma redivivum - California thrasher (SC)

Mammals

Ammospermophilus nelsoni - San Joaquin (=Nelson's) antelope squirrel (CA)
Corynorhinus (=Plecotus) townsendii pallescens - pale Townsend's big-eared bat (SC)
Corynorhinus (=Plecotus) townsendii townsendii - Pacific western big-eared bat (SC)
Dipodomys nitratoides brevinasus - short-nosed kangaroo rat (SC)
Euderma maculatum - spotted bat (SC)
Eumops perotis californicus - greater western mastiff-bat (SC)
Martes americana - American (=pine) marten (SC)
Myotis ciliolabrum - small-footed myotis bat (SC)
Myotis evotis - long-eared myotis bat (SC)
Myotis thysanodes - fringed myotis bat (SC)
Myotis volans - long-legged myotis bat (SC)
Myotis yumanensis - Yuma myotis bat (SC)
Onychomys torridus ramona - Southern grasshopper mouse (SC)
Onychomys torridus tularensis - Tulare grasshopper mouse (SC)
Perognathus inornatus - San Joaquin pocket mouse (SC)
Vulpes vulpes necator - Sierra Nevada red fox (CA)

Plants

Arabis bodiensis - Bodie Hills rock cress (SC)
Astragalus lentiginosus var kernensis - Kern Plateau milk-vetch (SLC)
Atriplex cordulata - heartscale (SC)
Atriplex depressa - brittlescale (SC)
Atriplex erecticaulis - Earlimart orache (=erectstem saltbush) (SLC)
Atriplex persistens - vernal pool (=persistent-fruited, Sacramento) saltbush (=smallscale, saltscale) (SC)
Atriplex subtilis - subtle orache (SLC)
Botrychium crenulatum - scalloped moonwort (SC)
Brodiaea insignis - Kaweah brodiaea (CA)
Calochortus striatus - alkali mariposa lily (SC)
Calochortus westonii - Shirley Meadows mariposa lily (=star-tulip) (SC)
Cupressus nevadensis - Piute cypress (SC)
Delphinium hansenii ssp. ewanianum - Ewan's larkspur (SC)
Delphinium recurvatum - recurved larkspur (SC)
Dudleya cymosa ssp. costafolia - Pierpoint Springs liveforever (=dudleya) (SC)
Eriastrum hooveri - Hoover's eriastrum (= woolly-star) (D)
Erigeron multiceps - Kern River daisy (SC)
Eriogonum nudum var. murinum - mouse buckwheat (SC)
Eriogonum twisselmannii - Twisselmann's buckwheat (SC)
Eryngium spinosepalum - spiny-sepaled coyote-thistle (=button-celery) (SC)
Erythronium grandiflorum ssp. pusaterii - Kaweah Lakes fawn-lily (SLC)
Fritillaria striata - Greenhorn adobe-lily (CA)
Horkelia tularensis - Tulare (=Kern Plateau) horkelia (SLC)
Hulsea brevifolia - short-leaved hulsea (=shortleaf alpinegold) (SLC)
Ivesia campestris - field ivesia (=field mousetail) (SLC)
Lewisia disepala - Yosemite lewisia (SC)
Linanthus serrulatus - Madera linanthus (SLC)
Lupinus padre-crowleyi (=L. dedeckerae) - DeDecker's (=Father Crowley's) lupine (SC)
Mimulus pictus - calico monkeyflower (SC)
Monardella linoides ssp. oblonga - flax-like monardella (SC)
Myosurus minimus ssp. apus - little mousetail (SC)
Navarretia setiloba - Piute Mountains navarretia (SC)
Nemacladus twisselmannii - Twisselmann's nemacladus (SC)
Oreonana purpurascens - purple mountain-parsley (SLC)
Phacelia nashiana - Charlotte's phacelia (SC)
Phacelia novenmillensis - Nine Mile Canyon phacelia (SC)
Ribes menziesii var ixoderme - aromatic canyon gooseberry (SLC)
Ribes tularense - Sequoia gooseberry (SLC)
Streptanthus gracilis - alpine streptanthus (=jewel-flower) (SC)

(E) *Endangered* - Listed (in the Federal Register) as being in danger of extinction.
(T) *Threatened* - Listed as likely to become endangered within the foreseeable future.
(P) *Proposed* - Officially proposed (in the Federal Register) for listing as endangered or threatened.
(NMFS) Species under the Jurisdiction of the National Marine Fisheries Service. Consult with them directly about these species.
Critical Habitat - Area essential to the conservation of a species.
(PX) *Proposed Critical Habitat* - The species is already listed. Critical habitat is being proposed for it.
(C) *Candidate* - Candidate to become a proposed species.
(CA) Listed by the State of California but not by the Fish & Wildlife Service.
(D) *Delisted* - Species will be monitored for 5 years.
(SC) *Species of Concern*/(SLC) Species of Local Concern - Other species of concern to the Sacramento Fish & Wildlife Office.
(V) Vacated by a court order. Not currently in effect. Being reviewed by the Service.
(X) *Critical Habitat* designated for this species

Important Information About Your Species List

How We Make Species Lists

We store information about endangered and threatened species lists by U.S. Geological Survey 7½ minute quads. The United States is divided into these quads, which are about the size of San Francisco.

The animals on your species list are ones that occur within, or may be affected by projects within, the quads covered by the list.

- Fish and other aquatic species appear on your list if they are in the same watershed as your quad or if water use in your quad might affect them.
- Amphibians will be on the list for a quad or county if pesticides applied in that area may be carried to their habitat by air currents.
- Birds are shown regardless of whether they are resident or migratory. Relevant birds on the county list should be considered regard-less of whether they appear on a quad list.

Plants

Any plants on your list are ones that have actually been observed in the quad or quads covered by the list. Plants may exist in an area without ever having been detected there. You can find out what's in the nine surrounding quads through the California Native Plant Society's online Inventory of Rare and Endangered Plants.

Surveying

Some of the species on your list may not be affected by your project. A trained biologist or botanist, familiar with the habitat requirements of the species on your list, should determine whether they or habitats suitable for them may be affected by your project. We recommend that your surveys include any proposed and candidate species on your list.

For plant surveys, we recommend using the Guidelines for Conducting and Reporting Botanical Inventories. The results of your surveys should be published in any environmental documents prepared for your project.

State-Listed Species

If a species has been listed as threatened or endangered by the State of California, but not by us nor by the National Marine Fisheries Service, it will appear on your list as a Species of Concern. However you should contact the California Department of Fish and Game Wildlife and Habitat Data Analysis Branch for official information about these species.

Your Responsibilities Under the Endangered Species Act

All plants and animals identified as listed above are fully protected under the Endangered Species Act of 1973, as amended. Section 9 of the Act and its implementing regulations prohibit the take of a federally listed wildlife species. Take is defined by the Act as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect" any such animal.

> Take may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or shelter (50 CFR §17.3).

Take incidental to an otherwise lawful activity may be authorized by one of two procedures:

- If a Federal agency is involved with the permitting, funding, or carrying out of a project that may result in take, then that agency must engage in a formal consultation with the Service.

  During formal consultation, the Federal agency, the applicant and the Service work together to avoid or minimize the impact on listed species and their habitat. Such consultation would result in a biological opinion by the Service addressing the anticipated effect of the project on listed and proposed species. The opinion may authorize a limited level of incidental take.

- If no Federal agency is involved with the project, and federally listed species may be taken as part of the project, then you, the applicant, should apply for an incidental take permit. The Service may issue such a permit if you submit a satisfactory conservation plan for the species that would be affected by your project.

  Should your survey determine that federally listed or proposed species occur in the area and are likely to be affected by the project, we recommend that you work with this office and the California Department of Fish and Game to develop a plan that minimizes the project's direct and indirect impacts to listed species and compensates for project-related loss of habitat. You should include the plan in any environmental documents you file.

Critical Habitat

When a species is listed as endangered or threatened, areas of habitat considered essential to its conservation may be designated as critical habitat. These areas may require special management considerations or protection. They provide needed space for growth and normal behavior; food, water, air, light, other nutritional or physiological requirements; cover or shelter; and sites for breeding, reproduction, rearing of offspring, germination or seed dispersal.

Although critical habitat may be designated on private or State lands, activities on these lands are not restricted unless there is Federal involvement in the activities or direct harm to listed wildlife.

If any species has proposed or designated critical habitat within a quad, there will be a separate line for this on the species list. Boundary descriptions of the critical habitat may be found in the Federal Register. The information is also reprinted in the Code of Federal Regulations (50 CFR 17.95). See our critical habitat page for maps.

Candidate Species

We recommend that you address impacts to candidate species. We put plants and animals on our candidate list when we have enough scientific information to eventually propose them for listing as threatened or endangered. By considering these species early in your planning process you may be able to avoid the problems that could develop if one of these candidates was listed before the end of your project.

Species of Concern

Your list may contain a section called Species of Concern. This is an informal term that refers to those species that the Sacramento Fish and Wildlife Office believes might be in need of concentrated conservation actions. Such conservation actions vary depending on the health of the populations and degree and types of threats. At one extreme, there may only need to be periodic monitoring of populations and threats to the species and its habitat. At the other extreme, a species may need to be listed as a Federal threatened or endangered species. Species of concern receive no legal protection and the use of the term does not necessarily mean that the species will eventually be proposed for listing as a threatened or endangered species.

Wetlands

If your project will impact wetlands, riparian habitat, or other jurisdictional waters as defined by section 404 of the Clean Water Act and/or section 10 of the Rivers and Harbors Act, you will need to obtain a permit from the U.S. Army Corps of Engineers. Impacts to wetland habitats require site specific mitigation and monitoring. For questions regarding wetlands, please contact Mark Littlefield of this office at (916) 414-6580.

Updates

Our database is constantly updated as species are proposed, listed and delisted. If you address proposed, candidate and special concern species in your planning, this should not be a problem. However, we recommend that you get an updated list every 90 days. That would be March 09, 2006.

Appendix N Tulare County Association of Governments – Memo to Interagency Consultation Partners and Concurrence Emails

tcag

5961 S. Mooney Blvd.
Visalia, California 93277
(559)733-6291
FAX (559)730-2653

Tulare County Association of Governments

TO: Interagency Consultation Partners

DATE: August 22, 2006

FROM: Ted Smalley, TCAG Deputy Executive Secretary

SUBJECT: **Consultation on PM 2.5 Hot-Spot Conformity Assessment for Road 80 Widening Project (TUL-00-102)**

The Tulare County Association of Governments (TCAG), in conjunction with the project sponsor, is providing the following PM 2.5 Hot-Spot Conformity Assessment for the Road 80 Widening Project for Interagency Consultation. The NEPA documentation, including air quality analysis, was previously released for public review. The Initial Study/Environmental assessment and proposed Negative Declaration was circulated to the public from May 26, 2006 to June 26, 2006. The final document, with comments and responses added, was adopted by the Tulare County Board of Supervisors on August 22, 2006. Comments were not significant and required only minor changes. However, PM2.5 was not addressed and needs to be included. It is requested that the Interagency Consultation Partners concur with TCAG that the project is not a Project of Air Quality Concern (POAQC) and not subject to PM2.5 Hot-Spot Analysis. Comments on the assessment are due by August 31st, 2006 at 5:30 p.m.; an interagency conference call will be held upon request.

Project Description:

The project is anticipated to be open to traffic 201 and consists of the following elements:

- Widening the roadway to four lanes from Avenue 416 in Dinuba to Neeley Street in Visalia;
- Right-of-way of sufficient width to provide for a Class III bicycle lane within the project corridor;
- Relocating above-ground utilities;
- Widening the roadway to six lanes from Neeley Street to State Route 198 in Visalia;
- Widening the roadway to four lanes from State Route 198 to Airport Drive in Visalia;
- Adding two-way continuous left-turn lanes and/or raised medians within the City of Dinuba;
- Adding 14-foot-wide depressed medians with 4-foot paved shoulders in the unincorporated areas of Tulare County;
  Adding 18-foot-wide medians, 8-foot paved shoulders and 8-foot wide sidewalks within the City of Visalia;
- Upgrading City of Dinuba Road 80 and local street intersections (L Street, M Street, Uruapan Street, O Street, Tulare Street and Kern Street) to standard 90 degree intersections with traffic signals occurring at intersections where warranted;
- Closing Q Street and P Street access to Road 80 in Dinuba;

- Widening the existing bridges at St. Johns River, Elbow Creek and Cottonwood Creek and extending existing culverts;
- Installing a larger culvert 1.5 miles east of Road 80 on Avenue 360;
- Constructing roadside ditches along Road 80 south of Avenue 360;
- Raising the road profile north of Avenue 360 while preserving existing hydraulic conditions by installing new culverts with inlet control set at the current road profile elevation;
- Installing a new storm drain system on Road 80, including a lift pump, to drain Road 80 and connecting existing storm drains to new detention/retention basin proposed by the City of Dinuba as a separate project;
- Constructing retaining walls to provide room to widen on- and off-ramps at State Route 198;
- Total project length is approximately 16 miles; and
- Installing two cast-in-place pre-stressed concrete box-girder structures on both sides of the existing interchange at State Route 99.

Funding for the project is provided in the STIP. Caltrans will be distributing the funds, and as a Responsible Agency, ensure NEPA compliance. The project is included in the 2004 Tulare County Regional Transportation Plan and is scheduled to be open to traffic in 2011.

The design and scope of this project is consistent with the federally-approved 2004 RTP, RTIP, FTIP, and Conformity determination; it is also consistent with the 2006 RTIP, and 2007 FTIP and conformity analysis, pending federal approval.

PM 2.5 Hot-Spot Analysis:

The Road 80 Widening Project is in the San Joaquin Valley PM2.5 non-attainment area. According to the Environmental Protection Agency (EPA) Transportation Conformity Guidance, PM 2.5 hot-spot analysis is required for Projects of Air Quality Concern (POAQC) in non-attainment areas (40CFR 93.123(b)(1)). Projects that are exempt or not POAQC do not require hot-spot analysis.

The Road 80 Widening Project does not meet the criteria of an exempt project under 40CFR 93.126. However, TCAG has determined that the Road 80 Widening Project does not meet criteria for a POAQC as defined in the final rule by 40CFR 93.123(b)(1). According to the EPA Transportation Conformity Guidance (final rule), March 10, 2006, the following are considered POAQC:

New or expanded highway projects with greater than 125,000 Annual Average Daily Traffic (AADT) **and** 8% or more of such AADT is diesel truck traffic;

New or expanded highway projects that affect a transportation facility at a Level of Service (LOS) D, E, or F, or will become a LOS D, E, or F; and

New or expanded highway projects that will significantly increase the amount of diesel truck traffic.

PM 2.5 Hot-Spot Analysis:

(a) AADT projections for the Road 80 Widening Project are listed below:

YEAR	AADT
2006	10,000 (both directions)
2028	30,000 (both directions)

According to the TCAG's Regional Travel Forecast model, this project will not exceed the AADT threshold of 125,000 through 2030 (the final year of the current Regional Transportation Plan). Truck traffic accounts for approximately 15 % of the entire traffic mix along the route. The truck traffic percentages were obtained from the classification counts conducted in 2004. Further, the project is not expected to increase truck traffic.

(b) The LOS for Road 80 ranges from level "B" to level "F" during peak hours. Building this project will improve level of service; future LOS will improve from level "F" to between level "C" and level "A." This project will also improve safety, circulation and decrease air pollution on Road 80.

(c) Between the Cities of Visalia and Dinuba, established truck routes will not change as a result of the project, nor will truck traffic increase significantly.

TCAG has completed this PM 2.5 assessment and has determined that the Road 80 Widening Project in not a Project of Air Quality Concern, therefore, no further analysis is required.

Public Involvement Process:

After concurrence from the Interagency Consultation Partners the County of Tulare will issue an official 30 day public notice. Documentation of the IAC process and response to any public comments received will be included as a supplement to the official NEPA documentation.

If you have any questions or need additional information, please contact Dennis Mills (dmills@co.tulare.ca.us) at (559) 733-6653 Ext. 4887.

Dinuba Exeter Farmersville Lindsay Porterville Tulare Visalia Woodlake County of Tulare

From: "Luxenberg, Steve" <Steve.Luxenberg@fhwa.dot.gov>
To: "Dennis Mills" <DMills@co.tulare.ca.us>, "Dennis Wade" <dwade@arb.ca.gov...
Date: 08/24/2006 8:53 AM
Subject: RE: PM2.5 IAC Memo for Road 80

CC: "Terri King" <tking@co.kings.ca.us>, "George Finney" <GFinney@co.tulare....

Dennis,
FHWA agrees that the Road 80 widening project is not a project of air quality concern that would require a qualitative analysis, although a project-level conformity determination will still be necessary. Recall that once there is a consensus among the interagency consultation partners, any comments will need to be addressed and FHWA will need a letter requesting a project-level conformity determination for those projects that have already completed NEPA. Then, FHWA will send a conformity determination letter to each requesting agency. For projects that have not yet completed NEPA, the project-level conformity determination will be taken care of through the NEPA approval process.

Steve

Steven Luxenberg, AICP
Air Quality Specialist
Federal Highway Administration
California Division
650 Capitol Mall, Suite 4-100
Sacramento, CA 95814
Phone: 916-498-5066
Fax: 916-498-5008
steve.luxenberg@fhwa.dot.gov

From: <OConnor.Karina@epamail.epa.gov>
To: Dennis Mills <DMills@co.tulare.ca.us>
Date: 08/23/2006 7:13 PM
Subject: Re: PM2.5 IAC Memo for Road 80
Attachments: PM2.5_IAC_ROAD80.pdf

CC: <steve.luxenberg@fhwa.dot.gov>, <cari@caconsulting.org>

EPA agrees that Road 80 Widening Project is not a "project of air quality concern" as defined in the Transportation Conformity Final Rule, therefore will not require a qualitative analysis.

From: Lauren Dawson <Lauren.Dawson@valleyair.org>
To: 'Dennis Mills' <DMills@co.tulare.ca.us>, 'Dennis Wade' <dwade@arb.ca.gov...
Date: 08/23/2006 1:55 PM
Subject: RE: PM2.5 IAC Memo for Road 80

CC: Terri King <tking@co.kings.ca.us>, George Finney <GFinney@co.tulare.ca.u...

Good afternoon,

The San Joaquin Valley Unified Air Pollution Control District (District) has received the request for interagency consultation on the PM2.5 hot-spot conformity assessment for the Road 80 Widening Project (TUL-00-102).

The District has determined that the project is not a "project of air quality concern" as defined in the Transportation Conformity Final Rule: PM2.5 and PM10 Hot-Spot Analyses in Project-Level Transportation Conformity Determinations for the PM2.5 and PM10 National Ambient Air Quality Standards [40 CFR 93.123(b)(1)]. The project will not require a qualitative analysis.

Regards,

Lauren Dawson
Air Quality Specialist
Plan Development

San Joaquin Valley Air Pollution Control District
1990 E. Gettysburg Ave.
Fresno, CA 93726-0244
(559) 230-5846
lauren.dawson@valleyair.org

Appendix O List of References

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PERSONAL COMMUNICATIONS

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Appendix P Comments and Responses

The draft Environmental Assessment/Initial Study and the Proposed Mitigated Negative Declaration were made available for public review and comment from May 26, 2006 to June 26, 2006. A public notice of the document's availability and opportunity for a public hearing was published in the June 26, 2006 edition of the Visalia Times-Delta. The document was circulated to responsible and cooperating agencies, as well as made available to the public at the Tulare County Public Library, County of Tulare Resource Management Agency, and the Dinuba City Hall.

A public hearing pursuant to the California Environmental Quality Act before the Board of Supervisors was held on June 13, 2006 at 9:00 a.m. at the County of Tulare Administration Building.

The comments received during the circulation of the draft environmental document and at the Tulare County Board of Supervisors public hearing and Tulare County's response to these comments are provided in this appendix.

Tulare County received comments from the following parties:

- California Public Utilities Commission
- California Department of Transportation
- San Joaquin Valley Air Pollution Control District
- California Regional Water Quality Control Board, Central Valley Region
- Tulare County Health & Human Services Agency
- California Department of Conservation
- Mr. Robert & Willemina Van Grouw, Rob Van Grouw Dairy
- Ms Leonor Longoria
- Ms Marty McCurry
- Steven Worthley, Tulare County Board of Supervisors

STATE OF CALIFORNIA — ARNOLD SCHWARZENEGGER, *Governor*

PUBLIC UTILITIES COMMISSION
505 VAN NESS AVENUE
SAN FRANCISCO CA 94102-3298

June 20, 2006

Phil Slitor, Engineer IV
County of Tulare
Tulare County Resource Management Agency
5961 South Mooney Boulevard
Visalia, CA 93277
Email: pslitor@co.tulare.ca.us

Subject: **Road 80 Widening Project, Tulare County**
SCH# 2000061040

Mr Slitor:

A letter was recently sent from our office in response to the Road 80 Widening Project "Initial Study with a Proposed Mitigated Negative Declaration/Environmental Assessment", identified by the State Clearinghouse as SCH#2000061040. The letter addressed general concerns about safety at rail crossings. I am providing this response to address some additional, more specific concerns.

There are two at-grade highway-rail crossings affected by the proposed project:
CPUC No. 103AC-247.20 / DOT No. 752943K, Plaza Drive (Road 80), Visalia
CPUC No. 103BC-234.70 / DOT No. 756842M, Alta Av (Road 80), Dinuba

These are mentioned specifically in Section 2.1.6, 'Traffic and Transportation/Pedestrian and Bicycle Facilities'. It states, "The proposed alignment crosses railroad tracks south of Avenue 416 and north of Avenue 304. These railroad crossings are at grade and, when trains are present, interrupt traffic flow. The project would result in improvements to the tracks south of Avenue 416 and potentially to the railroad crossing north of Avenue 304. The project would not change the frequency of trains or the number of vehicles crossing the railroad tracks."

The discussion should note that railroad crossings present not only a traffic flow interruption, but a safety hazard. Train-vehicle collisions at a railroad crossing may result in casualties to roadway users as well as train crews and passengers, and may also result in other environmental hazards.

The Initial Study states that "improvements" would be made at the crossing near Avenue 416, and potentially could be made at Avenue 304, but no details are provided. We recommend that the project include safety improvements at both crossings. Widening and sidewalk installation may be considered as an improvement from the perspective of traffic flow, but could be detrimental to safety at the railroad crossing unless appropriate warning device modifications accompany it.

Projections for the Plaza Drive portion of Road 80 (around the railroad crossing) estimate that in 20 years traffic will "increase to more than 30,000 vehicles per day, more than double its current volume." It is our opinion that the cumulative impact of regional development, both industrial and residential, can be expected to lead to increasing rail and roadway traffic. Projected average annual population growth at the northern end of the project in Dinuba is stated to be 2.8% and is 3.4% in City of Visalia on the southern end, both much higher than the state average. This project is part of a long-range regional plan to accommodate that

growth, and as part of its stated purpose to 'improve safety' should also address the safety issues related to the increasing traffic at the rail crossing.

Trucks are a significant portion of the traffic mix along Road 80. Trailer trucks queue onto the track north of Avenue 304 unless the driver stops prior to the railroad track. It may be appropriate to place signage such as "DO NOT STOP ON TRACKS" or add pre-signals (traffic signals which require motorists to stop prior to the tracks). Also, trucks carrying hazardous materials are required to stop at railroad crossing under California law, and therefore deceleration and acceleration lanes may be appropriate near the crossings to reduce the possibility of rear-end collisions. This should be considered when designing the necessary right-of-way width, and the alignment of bicycle and pedestrian facilities.

In the Traffic and Transportation discussion, it should be clearly noted that the California Public Utilities Commission (CPUC) is the regulatory agency with responsibility to oversee the safety of railroad crossings. Any modifications to the highway-rail crossing should be discussed with, and require authorization of, CPUC staff in the Rail Crossings Engineering Section. The CPUC should also be listed in the Summary under 'Required Permits/Agreements' and in Section 1.4: Permits and Approvals Needed.

Please contact me with any questions at shk@cpuc.ca.gov or (415)703-1208.

Sincerely,

K. Schumacher

Kevin Schumacher
CPUC Rail Crossings Engineering Section

CC:

Andrew Benelli, City of Visalia
Dan Meinert, City of Dinuba
Jean Brou, County of Tulare
Jack Gauthier, San Joaquin Valley Railroad
Jim Smith, Union Pacific Railroad

Response to Kevin Schumacher at the Public Utilities Commission

The conflict between the trains on the railroad and the traffic on Road 80 is a condition that will persist before and after the project. At-grade intersections for vehicles pose similar risks and inconvenience. The proposed crossing improvements south of Avenue 416 in the City of Dinuba will improve safety.

Train-vehicle collisions are horrific, but would not be caused or prevented by the project since no new at-grade crossings are proposed. The environmental hazards resulting from a train wreck are not affected by the project. These are not environmental issues within the scope of the project.

The railroad crossing at Avenue 304 and south of Avenue 416 will be upgraded to current design standards with widening, signage, gates, and signal coordination as necessary in consultation with the Public Utilities Commission and with their approval. However, immediately improvement to these crossings should not be bound to or dependent on the project schedule. The specific features necessary to upgrade these crossings are design or operational issues, not any environmental issue and not described in detail in this document.

Widening the railroad crossing and installing sidewalk at the crossing would be designed in consultation with the Public Utilities Commission. In addition, appropriate warning devices would be modified or installed.

The project will not increase the traffic volume or the train frequency. The project is in response or in anticipation of increased traffic volumes. It does accommodate that growth, but does not necessarily promote it. Safety issues related to the railroad crossings will not be addressed in any more detail in the environmental document; however, a bullet will be added under the mitigation measures in Section 2.1.6 that crossing upgrades will be designed to current standards, providing the optimum improvement in safety and convenience. This is a design issue.

Both railroad crossings are in the urban areas of the project where traffic speeds are reduced. Acceleration and deceleration lanes or turnouts are not practical or feasible at these locations.

Any modifications to the highway-rail crossing will be discussed with, and approval obtained from, the Rail Crossings Engineering Section of the Public Utilities Commission. In Section 1.4, “Permits and Approvals Needed,” the California Public Utilities Commission has been added to the list.

STATE OF CALIFORNIA
PUBLIC UTILITIES COMMISSION
505 VAN NESS AVENUE
SAN FRANCISCO CA 94102 3298

ARNOLD SCHWARZENEGGER, *Governor*

June 8, 2006

Phil Slitor
County of Tulare
5961 South Mooney Boulevard
Visalia, CA 93277

Dear Mr. Slitor:

Re: Road 80 Widening Project

As the state agency responsible for rail safety within California, we recommend that any development projects planned adjacent to or near the rail corridor in the County be planned with the safety of the rail corridor in mind. New developments may increase traffic volumes not only on streets and at intersections, but also at at-grade highway-rail crossings. This includes considering pedestrian circulation patterns/destinations with respect to railroad right-of-way.

Safety factors to consider include, but are not limited to, the planning for grade separations for major thoroughfares, improvements to existing at-grade highway-rail crossings due to increase in traffic volumes and appropriate fencing to limit the access of trespassers onto the railroad right-of-way. It should be noted that a permit will be required from the Commission to modify the two existing at-grade highway-rail crossings located with the project's limits. An on-site "diagnostic" review meeting should be scheduled with Commission staff to determine the needed improvements at the two crossings

The above-mentioned safety improvements should be considered when approval is sought for the new development. Working with Commission staff early in the conceptual design phase will help improve the safety to motorists and pedestrians in the County.

If you have any questions in this matter, please call me at (415) 703-2795.

Very truly yours,

Kevin Boles
Utilities Engineer
Rail Crossings Engineering Section
Consumer Protection and Safety Division

cc: Jim Smith, UP
Carol Harris, UP
Jack Gautier, SJVRR

Response to Kevin Boles at the Public Utilities Commission

The project is not a new development, but is a widening of an existing roadway. New developments may be approved that affect traffic and pedestrian volumes at the railroad crossings, but that is not a direct result of this project.

Improvements to at-grade intersections are proposed. Grade separation is not being considered since it would be infeasible at both locations. Fencing of railroad right-of-way is outside of the project scope and probably not feasible. A permit for all modifications of the existing crossings will be obtained from the Public Utilities Commission. An onsite "diagnostic" review meeting will be scheduled with the California Public Utilities Commission staff during the early stages of the design phase.

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF TRANSPORTATION
1352 WEST OLIVE AVENUE
P.O. BOX 12616
FRESNO, CA 93778-2616
PHONE (559) 488-7306
FAX (559) 488-4088
TTY (559) 488-4066

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June 22, 2006

2135-IGR/CEQA
TUL-198-4.79 +/-
ROAD 80
WIDENING PROJECT
SCH# 2000061040

Mr. Philip Slitor
County of Tulare
Resource Management Agency
5961 S. Mooney Boulevard
Visalia, CA 93277

Dear Mr. Slitor:

Thank you for the opportunity to review the Road 80 Widening Project Mitigated Negative Declaration/Environmental Assessment. The proposed project will improve a 16-mile segment of Road 80 from Avenue 416 in the City of Dinuba to Airport Drive in the City of Visalia. The improvements to Road 80 include widening the roadway, improving the interchange at State Route (SR) 198 and Road 80 (Plaza Drive), and upgrading drainage. The improvement to the SR 198 at the Road 80 interchange consists of widening the overcrossing from two-lanes to four-lanes. The purpose of the project is to improve traffic flow and level of service on Road 80. Caltrans has the following comments:

It is anticipated that the proposed project would have minor impact to State facilities. The typical cross-section for the proposed Plaza Drive overcrossing bridge widening should be provided in the Mitigated Negative Declaration. Plans for ramp closure or detour for the Plaza Drive interchange shall be submitted to the District 6 Traffic Operations Branch for review before construction begins.

The City of Visalia is the lead agency for this project. There is a Caltrans project in the PA & ED phase to upgrade the interchange at SR 198 and Plaza Drive (EA 423700, Tul-198 PM R4.8, Project Manager-Glenn Blake, Design Manager-Sanku Mohan). Construction is estimated to begin in 2007. This interchange is nearing capacity and the City should consider advancing the schedule or constructing interim improvements such as ramp widening.

Please be advised that any future development adjacent to a State Route, whether the entitlement is deemed by the lead agency to be discretionary or ministerial should be sent to Caltrans for review. Please send a response to our comments prior to staff's recommendations to the Planning Commission and the Council.

Caltrans improves mobility across California

If you have any questions, please call me at (559) 488-7306.

Sincerely,

AL DIAS
Office of Transportation Planning
District 6

C: Mr. Michael Olmos, A.I.C.P., Assistant City Manager
Mr. Andrew Benelli, P.E., Director
Mr. David Jacob, City Engineer
Mr. Ted Smalley, Exective Secratery, TCAG
Mr. Britt L. Fussel, P.E., County of Tulare
Assistant Director-Engineering
SCH# 2000061040

Response to the California Department of Transportation

A typical cross section of the Plaza Drive overcrossing has been included as Figure 1.4, and the project description has been revised to specifically include widening of the overcrossing from two to four lanes.

All plans for ramp closure or detours will be submitted to the District 6 Traffic Operations Branch for review prior to any construction.

The project referred to by the Department of Transportation to upgrade the interchange at State Route 198 (EA 42300) is the Plaza Drive overcrossing improvement project sponsored by the City of Visalia, which is included as part of this project. The City of Visalia is in the process of initiating the Project Report for the Plaza Drive overcrossing, which will provide additional detail, including typical sections, on the proposed widening of the overcrossing and other improvements to the interchange.

San Joaquin Valley
Air Pollution Control District

June 21, 2006

Reference No : C200601180

Phil Slitor
County of Tulare
Tulare County Resource Management Agency
5961 South Mooney Boulevard
Visalia, CA 93277

Subject: Initial Study with a Proposed Mitigated Negative Declaration/Environmental Assessment Road 80 Widening Project (from Avenue 416 to Airport Road) RSTPL-5946 (021)

Dear Mr Slitor:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the project referenced above and offers the following comments:

The air quality discussion in the document adequately describes the regulatory and environmental setting for the project The District has determined that compliance with Regulation VIII will constitute sufficient mitigation to reduce fugitive dust PM10 impacts from construction to a level considered less-than-significant There are two areas where the document does not address impacts and potential mitigation. These are described below

The oxides of nitrogen (NOx) emissions from the diesel powered construction equipment used for a project of this size are likely to be significant The District's Guide for Assessing and Mitigating Air Quality Impacts (GAMAQI) states that although construction emissions are temporary, large projects may exceed District thresholds from construction emissions alone. However, a new District regulation is in place that will reduce this impact. District Rule 9510 – Indirect Source Review requires transportation projects, such as this one, to reduce emissions of NOx and fine particulate matter (PM10) by 20 percent and 45 percent respectively. Compliance with Rule 9510 is needed to meet commitments in the 2003 PM10 Plan and the 2004 Extreme Ozone Attainment Demonstration Plan that are required to meet federal standards on schedule.

A second issue is related to the diesel particulate emissions during construction of the Road 80 Widening Project During construction, diesel powered equipment should be equipped with PM control devices, when available, for the make and model of equipment in use Equipment staging areas should be placed as far from residences and other sensitive receptors as possible to limit exposure The project contractors should be required to shut off all diesel engines when not in use to reduce emissions from idling

Rule 9510 requires a 45 percent PM10 reduction compared to the statewide fleet average If the reductions are obtained onsite, it will help to mitigate local impacts from diesel particulate. If the reductions are obtained through payment of the mitigation fee to the District, they will help reduce regional impacts from particulates, but the local impact will remain

Northern Region Office
4800 Enterprise Way
Modesto, CA 95356-8718
(209) 557-6400 • FAX (209) 557-6475

Central Region Office
1990 East Gettysburg Avenue
Fresno, CA 93726-0244
(559) 230-6000 • FAX (559) 230-6061
www.valleyair.org

Southern Region Office
2700 M Street, Suite 275
Bakersfield, CA 93301-2373
(661) 326-6900 • FAX (661) 326-6985

This project will be subject to Rule 9510 (Indirect Source Review) § 2 2 this rule shall apply to any transportation or transit project where construction exhaust emissions equal or exceed two (2) tons NOx or two (2) tons of PM10. The two (2) ton NOx threshold is triggered by new road 0 4 miles in length by 60-foot width with 3 acres of disturbed area The threshold is based on exhaust emissions only, not fugitive dust. Rule 9510 requires applicants subject to the rule to provide information that enables the District to quantify construction, area and operational PM10 and NOx emissions, and potentially mitigate a portion of those emissions An application must be filed with the District no later than concurrent with application with a local agency for the final discretionary approval. For more information and instruction, please contact the District's ISR staff by phone at (559) 230-5800 or by email at ISR@valleyair.org

District staff is available to meet with you and/or the applicant to further discuss the regulatory requirements that are associated with this project. If you have any questions or require further information, please call me at (559) 230-5937 or Mr Dave Mitchell, Planning Manager, at (559) 230-5807 and provide the reference number at the top of this letter

Sincerely,

Georgia Stewart
Air Quality Specialist
Central Region

C: file

Response to the San Joaquin Valley Air Pollution Control District

The emission of oxides of nitrogen (NOx) and fine particulate matter (PM_{10}) during construction from diesel powered construction equipment will be included as a project impact. These impacts will be mitigated by compliance with District Rule 9510. Furthermore, diesel powered construction equipment will be required to be equipped with PM_{10} control devices and shut off when not in use.

Linda S. Adams
Secretary for
Environmental
Protection

California Regional Water Quality Control Board
Central Valley Region
Robert Schneider, Chair

Fresno Branch Office
1685 E Street, Fresno, California 93706
(559) 445-5116 • Fax (559) 445-5910
http://www.waterboards.ca.gov/centralvalley

Arnold
Schwarzenegger
Governor

21 June 2006

Phil Slitor, Engineer IV
County of Tulare
Tulare County Resource Management Agency
5961 South Mooney Boulevard
Visalia, CA 93277

INITIAL STUDY WITH A PROPOSED MITIGATED NEGATIVE DECLARATION, ENVIRONMENTAL ASSESSMENT, ROAD 80 WIDENING PROJECT, R5TPL-5946 (021), SCH NO: 20000061040, VISALIA/DINUBA, TULARE COUNTY

Your request for comments on the subject project was received on 1 June 2006. The project involving the County of Tulare, the City of Dinuba, the City of Visalia, in cooperation with California Department of Transportation and the Federal Highway Administration, proposes to improve a 16 mile segment of Road 80 from Avenue 416 in the City of Dinuba to Airport Drive in the City of Visalia. The work will include widening the roadway, improving the interchange at Road 80 and State Route 198, widening an over crossing, and upgrading drainage. The widening would also provide sufficient right-of-way within the project corridor for a Class III bicycle lane.

As the construction associated with the project will disturb one acre or more, compliance with the National Pollutant Discharge Elimination System General Permit No. CAS000002 for Discharges of Storm Water Associated With Construction Activity will be required for potential discharges to surface waters, including ephemeral and intermittent drainages. Before construction begins, the County of Tulare must submit a Notice of Intent to comply with the General permit, a site map, and appropriate fee to the State Water Resources Control Board and a SWPPP must be prepared. The SWPPP must contain at a minimum all items listed in Section A of the General Permit including descriptions of measures that will be taken to prevent or eliminate unauthorized non-storm water discharges, and both temporary (e.g., fiber rolls, silt fences, etc.) and permanent (e.g., vegetated swales, riparian buffers, etc.) best management practices (BMPs) that will be implemented to prevent pollutants from discharging with storm water into waters of the United States.

If the project results in discharge of dredged or fill material into navigable waters, wetlands, or other waters of the U.S. (jurisdictional waters), the County of Tulare must obtain a permit pursuant to Section 404 of the Clean Water Act from the U.S. Army Corps of Engineers (Corps) and a Section 401 Water Quality Certification from the Regional Water Board to

Phil Slitor, Engineer IV -2- 21 June 2006
Tulare County Resource Management Agency
County of Tulare

ensure that discharges will not violate State water quality standards. If the project will result in the discharge of dredged or fill material into navigable waters or wetlands that are determined by the Corps to be non-jurisdictional, the County of Tulare will not be required to obtain a Section 401 Water Quality Certification, but may be required to submit a Report of Waste Discharge (RWD) Pursuant to California Water Code, Section 13260, all persons proposing to discharge waste that may affect the quality of waters of the State must submit to the Board a RWD, following which the Board will either prescribe waste discharge requirements (WDRs) or issue a waiver thereof.

Thank you for the opportunity to comment on this Initial Study with a proposed Mitigated Negative Declaration Environmental Assessment. If you have any questions regarding our comments, please call me at (559) 445-6071.

Dan Lynch

Dan Lynch
Environmental Scientist
Storm Water Unit

cc: State Clearinghouse, Sacramento

Response to the California Regional Water Quality Control Board, Central Valley Region

Section 2.2.2, Water Quality and Storm Water Runoff, discusses the requirement for a Storm Water Pollution Prevention Plan to mitigate discharge of pollutants to surface waters.

Compliance with a Clean Water Act Section 404 permit to compensate for impacts to wetlands is discussed in Section 2.3.2, Wetlands and Other Waters.

Therefore, no changes to the document are needed in response to this comment.

Tulare County
Health & Human Services Agency
John Davis, Agency Director
Ray Bullick, Director - Health Services Department

Health Services Department ▪ Larry Dwoskin, Director ▪ Environmental Health Services

June 20, 2006

PHIL SLITOR
COUNTY OF TULARE
RESOURCE MANAGEMENT AGENCY
5961 S MOONEY BLVD
VISALIA CA 93277

Re: Road 80 Widening Project

Dear Phil:

The Tulare County Environmental Health Services Division (TCEHSD) has reviewed the Initial Study with a Proposed Mitigated Negative Declaration/Environmental Assessment dated May 2006 for the above referenced project.

The TCEHSD will require that all wells located within the project boundary and within the area of known contamination associated with the Visalia Landfill be constructed or destroyed under the direction of a Registered Geologist. This process will necessitate that a work plan for such activities be submitted to and approved by the Regional Water Quality Control Board prior to issuance of any applicable work permits by the TCEHSD.

Thank you for the opportunity to comment on this matter. Should you have any questions please contact me at your convenience.

Sincerely,

Ken Bowers
Supervising Environmental Health Specialist
Environmental Health Services Division

KB:jp

cc: Jeff Monaco, Resource Management Agency

Response to the Tulare County Health & Humans Services Agency, Ken Bowers

As an added mitigation measure in Section 2.2.4, all wells located in the project boundary and within the area of known contamination associated with the Visalia Landfill will be abandoned under the direction of a Registered Geologist and work plans will be submitted to the Regional Water Quality Control Board for approval prior to construction.

Comment from Tulare County Health & Humans Services Agency, Jim Waters (vie email)

I have reviewed the document, and believe issues in the right-of-way adjacent to the Visalia Landfill concerning potential groundwater and well contamination are adequately mitigated by continued County compliance with Regional Water Quality Control Board requirements, and that the existing mitigations are sufficient to protect groundwater.

Response to the Tulare County Health & Humans Services Agency, Jim Waters

We received formal comments from Mr. Ken Bowers of the Tulare County Health and Human Services Agency regarding wells in the project area and within the plume of groundwater contamination from the Visalia Landfill. See our response to his comments above.

Jul-13-2006 12:45 From-DIVISION OF LAND RESOURCE PROTECTION 19163273430 T-606 P 001/005 F-845

STATE OF CALIFORNIA, RESOURCES AGENCY ARNOLD SCHWARZENEGGER, GOVERNOR

DEPARTMENT OF CONSERVATION

DIVISION OF LAND RESOURCE PROTECTION

801 K STREET • MS 18-01 • SACRAMENTO CALIFORNIA 95814

PHONE 916 / 324-0850 • FAX 916 / 327-3430 • TDD 916 / 324-2555 • WEBSITE conservation.ca.gov

Clear 6.26.06 late

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JUL 13 2006
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July 12, 2006

Mr. Doug Damko
Tulare County Resource Management Agency
5961 South Mooney Blvd.
Visalia, CA 93277

Subject: Road 80 Widening Project Notice of Preparation (NOP) for a Draft Environmental Impact Report (DEIR) - SCH# 2000061040, Tulare County

Dear Mr. Damko:

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the NOP for the referenced project. The Division monitors farmland conversion on a statewide basis and administers the California Land Conservation (Williamson) Act and other agricultural land conservation programs. We offer the following comments and recommendations with respect to the project's impacts on agricultural land and resources.

Project Description

The project is the proposed widening and improvement of a 16-mile segment of Road 80 from Avenue 416 in the City of Dinuba to Airport Drive in the City of Visalia by Tulare County (County), Caltrans and the Federal Highway Administration. The project includes widening the roadway, improving the interchange at Road 80 and State Route 198, widening an over-crossing and upgrading drainage. It will directly convert about 54.1 acres of farmland, of which 23.8 acres are considered Prime Farmland and 30.3 acres are considered Farmland of Statewide and Local Importance. Forty-four parcels totaling 54 acres and enforceably restricted by Williamson Act contracts will be affected. Contracted lands lie on both sides of the roadway.

The County and the Cities of Dinuba and Visalia propose to provide funds to the Department's California Farmland Conservancy Program or a local land trust, such as the American Farmland Trust, to mitigate farmland conversion by the project. Funds would be adequate to purchase agricultural conservation easements on similar quality

farmland as that converted at a 1:1 ratio in the Road 80 corridor between Dinuba and Visalia.

Mitigation Measures

The Department supports the County's funding of agricultural conservation easements as mitigation for project conversion of protected farmland. We encourage the County to establish funding timelines in advance of project implementation to ensure mitigation success and to outline those timelines in the DEIR. We also encourage the requirement of a fee to cover administrative costs in purchasing the easements.

Agricultural Setting of the Project

The DEIR should describe the project setting in terms of the actual and potential agricultural productivity of the land. The Division's Important Farmland Map (IFM) for the County should be utilized to identify agricultural land within the project site and in the surrounding area that may be impacted. Acreages for each land use designation should be identified for both areas. Likewise, the County's Williamson Act Map should be utilized to identify potentially impacted contract, Farmland Security Zone (FSZ) and agricultural preserve land by acreage and whether it is prime or nonprime agricultural land according to definition in Government Code §51201(c). Maps of the Important Farmland and Williamson Act land should be included in the DEIR.

In addition, we recommend including the following items of information to characterize the agricultural land resource setting of the project.

- Current and past agricultural use of the project area. Include data on the types of crops grown, crop yields and farm gate sales values.
- To help describe the full agricultural resource value of the soils on the site, we recommend the use of economic multipliers to assess the total contribution of the site's potential or actual agricultural production to the local, regional and state economies. State and Federal agencies such as the UC Cooperative Extension Service and USDA are sources of economic multipliers.

Project Impacts on Agricultural Land

The Department recommends that the following be included in the DEIR in the analysis of project impacts

- Type, amount, and location of farmland lost to project implementation. The conversion of Prime Farmland, Unique Farmland or Farmland of Statewide Importance is considered a potentially significant adverse impact.

- A discussion of conflicts with Williamson Act contracts, including termination in order to accommodate the project. The DEIR should also discuss the impacts that conflicts or termination would have on nearby properties under contract; i.e., growth-inducing impacts from the perspective that the removal of contract protection removes a barrier to development and results in an incentive to shift to a more intensive land use such as urban development. The termination of a Williamson Act contract is considered a potentially significant adverse impact.
- Indirect impacts on current and future agricultural operations; e.g. land-use conflicts, increases in land values and taxes, vandalism, population, traffic, water availability, etc.
- Growth-inducing impacts, including whether leapfrog development is involved.
- Incremental project impacts leading to cumulatively considerable impacts on agricultural land. These impacts would include impacts from the proposed project as well as impacts from past, current and probable future projects. The Division's farmland conversion tables may provide useful historical data.
- Impacts on agricultural resources may also be quantified and qualified by use of established thresholds of significance (CEQA Guidelines §15064.7). The Division has developed a California version of the USDA Land Evaluation and Site Assessment (LESA) Model, a semi-quantitative rating system for establishing the environmental significance of project-specific impacts on farmland. The model may also be used to rate the relative value of alternative project sites. The LESA Model is recommended by CEQA and is available from the Division at the contact listed below

Williamson Act Lands

The Department recommends that the following information be included in the DEIR regarding Williamson Act land impacted by the project.

Whenever it appears that a public agency may require Williamson Act land for a public improvement, the acquiring agency must notify the Department (Government Code section 51291(b)) in advance of the acquisition. Specific findings must be made. The property must be acquired in accordance with eminent domain law by eminent domain or in lieu of eminent domain in order to void the contract (§51295). The public agency must consider the Department's comments prior to taking action on the acquisition. We recommend discussion in the DEIR as to how the acquisition will meet the required findings. However, notification must be submitted separately from the CEQA process and CEQA documentation to Bridgett Luther, Director, at the address noted below. Please find enclosed Notification Provisions listing items of information required as part of notification.

Thank you for the opportunity to comment on this NOP. If you have questions on our comments or require technical assistance or information on agricultural land

conservation, please contact Bob Blanford at 801 K Street, MS 18-01 Sacramento, California 95814; or, phone (916) 327-2145.

Sincerely,

Dennis J. O'Bryant
Acting Assistant Director

Enclosure

cc: State Clearinghouse

Tulare County Resource Conservation District
530 W. Orchard Court
Visalia, CA 93277

Response to the California Department of Conservation

The environmental document is a "Mitigated Negative Declaration," and not a Notice of Preparation for an Environmental Impact Report.

To mitigate for the loss of 54.1 acres of farmland, agricultural conservation easements on similar quality farmland at a 1.1 ratio will be purchased. This mitigation measure is considered adequate.

The purchase of the agricultural conservation easement will occur after the farmland is purchased. Fees and administrative costs will be included in the cost of purchasing the easements.

The project setting has been generally described in the environmental document by listing the types of crops and agricultural activity in the area. Because the impact of the project on farmland is not significant and will be fully mitigated through the purchase of agricultural conservation easements, detailed mapping and descriptions of each parcel has not been included in the document. Prior to acquisition of any portion of an agricultural parcel, the Williamson Act contract status, whether it is prime or non-prime farmland, its actual and potential agricultural productivity, whether it is Farmland Security Zone or agricultural preserve land, and whether it is State or locally important will be determined. This will ensure that the current designation is applied so agricultural conservation easements of land of equivalent value and character are acquired.

This is a regional road capacity project. The project does not change the land use zoning. The project is not considered leapfrog development nor does it promote leapfrog development. The project is part of urban development. Indirect impacts such as land use conflicts, vandalism, land values, population, water availability, and leapfrog development are land use decisions. The project is in response to those decisions, but the project is not driving them. Project cumulative impacts have been analyzed in Section 2.4 of the environmental document. The project will not result in a substantial cumulative impact on the conservation of agricultural lands.

The type and amount of farmland lost to project implementation has been documented as 23.8 acres of Prime and Unique Farmland and 30.3 acres of State and Locally Important farmland. This farmland will be obtained as a portion of approximately 44 agricultural parcels leaving the remainder of each parcel in agricultural production. This is not considered a significant adverse impact and it has been will be mitigated by the purchase of agricultural conservation easements.

Because the National Resource Conservation Service's Farmland Conversion Impact Rating of 143 is less than 160, protection under the Farmland Protection Policy Act is not triggered (refer to Appendix F). The project's impact to farmland does not warrant documenting past agricultural use, types of crops grown, crop yields, farm gate sales values, or the resource value of soils. These are economic rather than environmental impacts and are not considered significant.

The termination of the Williamson Act contract is not a significant adverse impact and termination of a contract on the remainder of an agricultural parcel not acquired by the project is the decision of the property owner and the governing body. The project team does not make this decision. The Department of Conservation will be notified in advance of the acquisition of any property under Williamson Act contract in compliance with Government Code 51291 (b).

ROB VAN GROUW DAIRY
32843 ROAD 76, VISALIA, CA 93291 (559) 651-2650

June 22, 2006

Philip Slitor
Tulare Resource Management Agency
5961 S. Mooney Blvd.
Visalia, CA 93277

Subject: Proposed Mitigated Negative Declaration for the proposed Road 80 Widening Project

Dear Mr. Slitor,

I received the notice of the proposed Mitigated Negative Declaration for the proposed widening of Road 80 and do have some concern as it relates to our property along road 80. Our property is located on the northwest corner of Road 80 and Avenue 328 on the west side of the Tulare County landfill. As we spoke about on the phone, I understand that the widening of the road may require the relocation of irrigation wells along Road 80. We do have a well that may be impacted as a result of this. Our property however has been impacted by the landfill, and several of our wells have been contaminated by a plume of underground water contaminated from the County's landfill. In the past, we were not able to relocate a well that had been contaminated into the same area that had been contaminated. This situation did create a problem as we had to locate a well quite a distance to the north.

In order to determine the specific impacts to our property, we need to have detail plans as they relate to our property, and our irrigation well. We want to make sure that we will be able to relocate the well in the same area without being denied by the Regional Water Quality Control Board because of groundwater contamination.

If you have any questions, please feel free to call 651-2650.

Sincerely,

Robert Van Grouw

Robert and Willemina Van Grouw

Response to Mr. Robert and Willemina Van Grouw, Rob Van Grouw Dairy

The agricultural water well for your dairy and farming operation on Road 80 is in conflict with the project and will not be allowed to be relocated in the same area in accordance with the directive of Mr. Ken Bowers of the Tulare County Health and Human Services Agency. We understand that this well is productive and near the fields it is used to irrigate; however, the water from the well is tainted with contaminants from the County Landfill in low concentrations and it interferes with an existing groundwater remediation system installed at the landfill. The well may also serve as a significant vertical conduit, allowing the contamination to migrate when the well is not pumping.

You will be compensated for the cost to relocate this well outside of the plume of contamination and for any future costs for increased pumping work. An additional water source has been made available to you from a well on the landfill property on the east side of Road 80. A well at this particular location is not necessary to continue a farming and dairy operation. You will also be compensated for the relocation of your irrigation distribution system that will be in conflict with the project, which can be sized to reduce head losses resulting from longer runs. It is an economic issue and not an environmental issue.

MEMORANDUM
June 14, 2006

To: Road 80 Widening File
From: Philip Slitor, Engineer IV
Subject: Comments received at the Public Hearing for the Road 80 Widening Project

On June 13, 2006, the Tulare County Board of Supervisors conducted an optional public hearing on the Mitigated Negative Declaration for the Road 80 widening project. Two members of the public spoke at the meeting. The Chairman of the Board had one question.

Leonor Langoria, who lives at 37693 Road 80, stated that the noise and vibration from the traffic on the Road 80 is very loud and bad. She is very fearful of vehicles crashing into her front yard and house. She said she is now 50 feet from the road and will be 24 feet after the project is built. She said that the project would leave her with no front yard and that she would not live in the house that much closer to the roadway. Loaded trailers particularly rattled her house. She said that she liked her lot and wouldn't mind if the house were moved to the back of the lot or if a new house were built there. The noise is very bad.

Marty McCurry of Tulare spoke in support of the project. She said that she works in Dinuba and that she and many of her other coworkers used Road 80 to commute to work. They have been involved in accidents and that the volume of traffic makes this project necessary.

Steve Worthley, Chairman of the Tulare County Board of Supervisors, asked whether a signal at the intersection of Avenue 400 and Road 80 was being proposed with the project.

Response to Leonor Longoria, County Resident

The existing noise level at Ms. Longoria's residence is 67 dBA, which is high for residential uses, but acceptable for the agricultural setting in which the house is located. Currently, the west right-of-way line is about 55 feet from Ms. Longoria's house. Under the proposed project alignment, the west edge of the right-of-way will be about 15 feet from her house, leaving her house well within the setback. Because of this, Ms. Longoria will be given the option of either being paid fair market value for her home plus relocation costs, or being paid for severance damages to her home, including the noise impacts and the risk of residing closer to a high volume, high speed roadway. The house could remain at its current location after the project is constructed as a legal nonconforming use. Ms. Longoria may also be compensated to move her home to the back of her lot or reconstruct a new dwelling at the back of the lot, providing that this cost does not exceed the difference between the fair market value of the property plus relocation expenses and the fair market value of her property after the project.

Response to Ms. Marty McCurry, Tulare Resident and Employee of Dinuba

We appreciate Ms. McCurry's support for the project.

Response to Steven Worthley, Chairman of the Tulare County Board of Supervisors

The intersection of Avenue 400 and Road 80 is currently a four-way stop. A traffic signal is warranted for this intersection, but has not been installed in anticipation of the Road 80 widening project. The projected level of service at 14 intersections as shown in Table 1.1 assumes that traffic signals will be installed where needed to restore an acceptable level of service. However, the project description in the draft environmental document did not specifically identify which intersections needed new traffic signals. The project description in the final environmental document has been changed to identify that new traffic signals will be installed at Avenue 400, Avenue 312, Crowley Avenue, and Neeley Avenue.

List of Technical Studies that are Bound Separately

Relocation Statement
Air Quality Report
Noise Study Report
Water Quality Report
Natural Environment Study
Location Hydraulic Study
Historical Property Survey Report

- Historic Study Report
- Historic Resource Evaluation Report
- Historic Architectural Survey Report
- Archaeological Survey Report

Hazardous Waste Reports

- Initial Site Assessment

Visual Resource Assessment
Paleontological Identification Report